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Kowloon Disturbances 1966

Report of

Commission of Inquiry

1967

Removed from

(8) on HWB 1/4

KOWLOON DISTURBANCES 1966

REPORT

OF

COMMISSION OF INQUIRY

PRINTED AND PUBLISHED BY J. R. LEE, ACTING GOVERNMENT PRINTER
AT THE GOVERNMENT PRESS, JAVA ROAD, HONG KONG

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PART I

INTRODUCTION

CHAPTER 1. APPOINTMENT AND TERMS OF REFERENCE

WE were appointed on 3rd May, 1966 under the Commissioners Powers Ordinance (Cap. 86):

'To inquire into and report on—

(*a*) the disturbances in Kowloon between the 5th and 8th of April, 1966, inclusive;

(*b*) the events leading up to such disturbances; and

(*c*) the causes thereof'.

2. A copy of the instrument of appointment appears at Appendix 1.

CHAPTER 2. PROCEDURE

3. On appointment, we met to consider the procedure which, subject to the Ordinance and to the terms of our appointment, we should adopt for this inquiry, and determined it after an examination of the reports of a number of similar commissions or tribunals in the United Kingdom and elsewhere.

4. We appointed Counsel and a Solicitor to assist us in collecting, examining and presenting the material on which we have based our report. We would like here to acknowledge the assistance given to us by our Counsel Mr. Denys ROBERTS, O.B.E., Q.C., then Solicitor General, assisted by Mr. F. G. COOKE, Senior Crown Counsel and by our Solicitor Mr. John SANDERS.

5. We issued a general invitation to the public, asking those who had knowledge of matters relevant to the Inquiry, to submit this in written statements and we made a public announcement of the procedure we proposed to adopt in considering these statements. This invitation was widely published and special arrangements were made, with the co-operation of the Commissioner of Prisons, for its notification throughout prisons and training centres in the Colony.

6. In order to be as accessible as possible to the public, our sittings were, at the outset, held in the City Hall. When that was damaged by floods in June we continued in the nearby Supreme Court.

7. We held the opening public session of the Commission on the 11th May and outlined the procedure we proposed to follow, at the same time announcing that we would modify it at any time should this appear desirable.

8. We indicated that counsel for the Commission would be asked to examine the statements sent in and to adduce from them material relevant to our proceedings; that if he should decide not to call any potential witness, there would be a right of appeal to the Commission; that any individual whose evidence was to be adduced would, unless in particular cases we decided otherwise, be asked to come forward at a public session to give evidence on oath or affirmation; and that he would be examined in the first instance by counsel for the Commission, thereafter, if represented by counsel, his own counsel would have an opportunity of questioning him, as would any counsel representing parties who satisfied us they had an interest in his testimony; and finally he would be re-examined by counsel for the Commission. The Commissioners could, of course, put questions if they wished. Reference was made to Section 4 of the Commissioners Powers Ordinance, which provides protection against civil proceedings and, in addition, the public was told that the Attorney General had authorized the chairman to say on his behalf that any statement made before the Inquiry would not be used in any criminal proceedings, other than proceedings for perjury before the Commission or contempt.

9. Thereafter, we considered requests for representation before the Commission. A list of those who were so represented appears in Appendix 2. The contention that the Commissioners Powers Ordinance contemplates audience for both solicitor and barrister was not questioned and we acceded to it.

10. With the exception of a number of statements from academic and social welfare circles which we found of benefit in forming our views, comparatively few statements were received from members of the public and these generally proved of little value since few related to the actual events of the disturbances or contained adequate evidence as to the causes: furthermore, some were anonymous.

11. Our staff, however, took steps to obtain statements from a substantial number of individuals who seemed likely to be able to assist us in determining the course of events during and immediately preceding the riots. From amongst them our counsel called those who could provide the most material evidence to give sworn testimony in public. As a result we have had evidence as to what occurred from a number of individuals who took part in or observed the events between the 5th and 8th April; including demonstrators, individuals convicted of offences, the Commissioner and other police officers, press and television reporters, photographers, bus drivers and others.

12. We spent the morning of June 7th in Kowloon visiting the location of major incidents mentioned in evidence before the Commission and gaining a

general impression of the physical environment in the areas where the disturbances had taken place. We also visited the Police/Military operations room at the Kowloon Police Headquarters.

13. In order to assist our understanding of the events, we viewed news films taken during the disturbances and inspected the press reports and records of broadcasts made during this period. In addition we had access to relevant records of court proceedings in respect of persons sentenced for riot offences who gave evidence before us.

14. We have also had available to us an analysis of certain factors relating to more than 300 of the individuals convicted of offences connected with the riots, who had not given evidence. In addition, a more detailed survey was carried out by social workers at our request of 24 younger offenders in a remand centre. The results of these two surveys are mentioned in Part V of this report.

15. A number of those who had come forward with statements covering sociological matters relevant to our Inquiry also gave us valuable oral testimony within this field.

16. 64 witnesses were examined, all in public. In addition, a substantial amount of written material, mainly on sociological matters, was made available to us, and we have, of course, had access to a number of publications dealing with fiscal and economic problems relevant to our Inquiry.

17. The last witness was heard on 17th August and thereafter, at the request of counsel, we gave a short adjournment to enable them to prepare their final submissions which were completed on 2nd September.

CHAPTER 3. THE BACKGROUND TO OUR INQUIRY

18. Although the basic facts of Hong Kong's political, economic and social circumstances are fairly widely known, we feel that it is essential to an understanding of the narrative, commentary and conclusions in subsequent chapters of this report that we include here a few notes on some of the salient features of the Colony.

19. *The People.* From a population which had been reduced during the Japanese occupation to about 600,000 in August 1945, there was a rapid increase in the months following the liberation to a figure of approximately 1,800,000 at the end of 1947. Thereafter, the numbers rose dramatically with successive influxes of refugees from Kwangtung province, from Shanghai and from many other parts of China and had reached a total of 3,133,131 at the time of the census in March 1961. Further increases, both natural and in the form of immigrants from China, raised the total to nearly $3\frac{3}{4}$ million persons in April 1966.

20. The size of this population, which is mainly contained in a relatively small proportion of the total area of the Colony, is sufficient to justify the conclusion that Hong Kong's major problem is a 'problem of people'. The 1961 census also drew attention to some distinctive features of the population which are relevant to later chapters of this report; viz,

(*a*) the number of Hong Kong born (1,482,887 of all ages) was less than 40% of the population; and

(*b*) about 40% of the population was under the age of 15.

21. The implications of these figures in terms of provision of employment and housing and social services are self evident; for example, the report of the 1961 census classified the housing of 726,577 persons as 'gravely inadequate'. On the other hand, the labour force was found to be unusually high (1,211,759) and the incidence of unemployment very low (approx. 16,000).

22. *The Place.* The total area of the Colony is approximately 400 square miles, of which about 365 square miles are held on lease from China. The focus of the Colony has traditionally been the harbour, around which the commercial, industrial and residential districts have grown up with the development of the economy and the increase in population.

23. Although there has been a considerable movement of population from the older areas of development on the northern shoreline of Hong Kong Island and the southern end of the Kowloon peninsula to more outlying areas, the greatest densities of population and consequently the most acute struggle for space occurs in these areas.

24. *Differences between Kowloon and Hong Kong Island.* The fact that the serious rioting in 1956 and the far less serious disturbances which took place in April 1966 occurred in Kowloon and not in Victoria (Hong Kong Island) suggests that there may be some differences in the population or in the physical environment of the two cities.

25. There is little evidence of any significant difference between the population of the two cities either in terms of age composition or origin, but the Hong Kong population is less than half that of Kowloon and New Kowloon combined.

26. The physical features and geographical setting of the two cities are notably different and lead to markedly different community groupings on the two shores of the harbour. In Hong Kong the narrow strip of foreshore accommodates the business area mainly in its Central District, with residential areas in the east, south and western fringes and with a fairly sharp dividing line between the higher and lower income districts; many of the former being situated on the higher levels of the Peak or the more distant parts of the Island, approachable only at higher

transport costs. The social stratification of the Island residents is thus intensified by a physical one with the result that those who live there are possibly less frequently confronted by the social and financial gap than are those in Kowloon.

27. In Kowloon, owing to its later development, its flatter topography and its wide straight streets, most of the districts are of easy access to one another, even on foot, and there is not the same marked zoning of the lower and higher income residential areas. Nor is there the same segregation of the business and banking areas from the main shopping and residential areas. These are closer and more interspersed in Kowloon than they are in Hong Kong, which tends to produce a very different atmosphere in the centres of the two cities, particularly at night. In Hong Kong the centre is quiet after dusk, although there is plenty of life and vitality in the outlying lower income residential areas to the east and the west, which also have busy shopping centres. The main axis in Kowloon, Nathan Road, is, on the other hand, full of life and vitality, with people and traffic thronging virtually its entire length until midnight or later. The juxtaposition of lower income residential areas, high class shops which stay open later, many cinemas, restaurants, hotels and places of entertainment gives the street a lively, vibrant, busy, bustling character that is absent, in the evenings, from the central districts of Hong Kong. The lower proportion of government offices and offices of commercial firms as well as the lower ratio of public playgrounds and open spaces in Yau Ma Tei and Mong Kok help to create a greater concentration of people in the brightly lit entertainment and shopping areas in the heart of Kowloon. This is particularly noticeable in the stretch of Nathan Road running north from Jordan Road to beyond Mong Kok. This fine wide street is a natural magnet for anyone seeking the attention of a crowd by means of a street demonstration.

28. *The Economy.* The growth of Hong Kong's economy rests on the stability of the Colony, its status as a free port and the high standard of protection it affords to person and property, under the rule of law. To these, combined with the administration's policy of minimum interference in industrial and commercial life, the acumen and enterprise of industrialists and managers, both immigrant and locally born, and an intelligent and hard-working labour force, has been attributed its rapid industrial growth in recent years; whilst its development as a centre of banking, insurance and commerce has been outstanding.

29. Growth has been remarkable and the difficulties encountered in the transition from entrepôt to manufacturing centre are now largely forgotten. Exports and re-exports have grown from a figure of $3,210 million in 1956 to $6,530 million in 1965 and the number of tourists visiting the Colony has increased from about 50,000 to 450,000 in the same period.

30. According to available statistics, this growth in the economy has been accompanied by substantial increases in wage rates and relatively small increases in the cost of living. The Hong Kong Government Salaries Commission reported

in 1965 that it accepted the data in the Household Expenditure Survey and Consumer Price Index as indicating an increase in the cost of living of some 14% between 1958 and 1965. This compared with figures collected by the Labour Department of the Hong Kong Government indicating an average increase in wage rates in certain sectors of manufacturing industry of 73% over the same period.

31. Nevertheless, it is clear that there was some slowing down in the hitherto rapid rate of growth of the economy in 1965 and that public confidence was affected by a banking crisis and a recession in real estate. These worries about the economy form a prominent part of the comment in subsequent chapters of the report and it is not proposed to dwell on them here, other than to show that there were domestic reasons for public concern about the economy as well as the usual external ones. The latter arise from the dependence of the economy on the export to a limited number of markets of a limited number of products in an international atmosphere of quotas and controls and on the tourist trade which is sensitive to factors such as the Vietnam War.

32. *The Society.* The insecurity of the international political situation in which Hong Kong exists is a matter apparently more frequently commented on by visitors than by residents—and the residents' apparent indifference to this situation is itself a subject for comment. However, this apparent indifference would seem to arise more from feelings of optimism and of an inability to influence the situation than from a failure to appreciate its realities.

33. The 1961 census found little distinction between new-comers and long-time residents of Hong Kong in their ability to find work, and this seems to reflect a lack of prejudice in the community. This attitude generally extends also to relations between the races in Hong Kong, although there is evidence of misconceptions on both sides.

34. Nevertheless, it is obvious that Hong Kong is not a single community in terms of accepted traditions and values. This concept is also reflected in the description of Hong Kong as 'an economy; not a nation'. Various factors pointing to a certain lack of cohesion in our society will be discussed in later parts of this report.

35. *The reasons for an inquiry.* It is obvious that the pressures due to overcrowding in the twin cities of Victoria and Kowloon, combined with the hard struggle for a living, which is increased by the need for many of the population to assist families in China in addition to their own dependents in Hong Kong, the lack of homogeneity in the population and the underlying insecurity of life in the Colony, resulting from international political and economic conditions, create tensions which elsewhere would be more than sufficient cause for frequent disturbances.

36. The fact that Hong Kong has only experienced one riot in the previous ten years is a tribute to the general patience and good sense of the population and the vigilance of the police force. It also explains the shock which the community experienced in April 1966, when demonstrations escalated into rioting. The Governor's initiative in promising, on April 7th, an inquiry into the causes was widely welcomed at the time.

37. The need for an inquiry into a riot which caused few casualties and comparatively little damage has been subsequently questioned and the events of April have been overtaken in the public mind by the serious rains and flooding in June and by the cultural revolution in China. It is therefore worth mentioning that the significance of this riot lay in the rarity of riots in Hong Kong together with the fact that Hong Kong, with so large a proportion of its population crowded into the urban areas, is so small that riots here have a much greater effect on the whole community than riots of far greater size and with a significantly greater number of casualties in a large country. A riot in Hong Kong is a national event and can readily incapacitate a great part of the Colony.

38. One further important factor in people's assessment of the significance of riots to the community arises from Hong Kong's growing dependence on foreign investment and tourism to maintain its social and economic progress. Many people in the community remember the financial loss to the Colony occasioned by the 1956 riots. In April, the population had been apprehensive about the economic future as a result of the banking and building crisis and was anxious to avoid anything which might spark off another trade recession or shake foreign confidence in the stability of the Colony. Hong Kong could not afford it and on every hand was heard, 'This must not happen again'. How could it be avoided? The first step was to find out how the disturbances started and then apply the lessons learned.

39. *The format of our report.* In approaching the task of reporting on the results of our inquiry we propose, having first referred in very general terms to a few of the more prominent features of the background, to proceed to a closer examination of the climate of opinion on price increases generally and public transport fares in particular (Part II The Star Ferry Fares Issue); then to describe in some detail the events of the week beginning April 4th (Part III The Disturbances); then to consider the measures taken by the security forces (Part IV The Measures Taken To Deal With The Disturbances); and then to examine the part played by two Urban Councillors (Part V Chapter 1 The Two Urban Councillors) and determine what sort of people joined the demonstrations and riots—what were their motives and what did they seek to achieve (Part V Chapter 2 The Demonstrators and Rioters): finally we devote two chapters to examining the immediate causes of the disturbances and alleged causes of underlying unrest or discontent (Part VI).

PART II

THE STAR FERRY FARE ISSUE

40. The 'Star' Ferry Company Limited is a public company with a paid up capital of $2.4 million and over 500 registered shareholders. It is the smallest of the companies which operate the major public transport facilities in the urban areas of the Colony (two bus companies, one tramway and two ferry companies) under franchises granted by the Government.

41. The company operates two passenger ferry services between Edinburgh Place in the Central District of Hong Kong and points on the Kowloon Peninsula. These services are of great importance in linking the urban areas on either side of the harbour and during 1965 carried an average of 150,000 passengers daily. The Company employs 14 ferries on these services and provides what is generally acknowledged to be a high standard of service.

42. The operation of the services is governed by the 'Star' Ferry Company (Services) Ordinance which lays down the rights and liabilities of the franchise and, in particular, stipulates the payment of pier rent and royalty to the Government and the fares and charges which may be levied by the Company. The relevant section of the Ordinance dealing with fares is shown at Appendix 3. It provides for the Company to charge such fares as may be fixed by the Governor-in-Council as fair and reasonable having regard as well to the Company as the general public. It also enables the Company, in the event of a material change of economic or financial conditions or any other circumstances affecting the ferry service to submit the question of fare increases to arbitration if the fares fixed by the Governor-in-Council are not reasonably remunerative: and there is provision for the Governor-in-Council to submit the question to arbitration if the fares and charges are unduly high. The section also provides for the Governor-in-Council to vary the rate of royalty in lieu of increasing or decreasing fares.

43. The general fare structure of the Company's service has remained unchanged from 1st April, 1946 with the exception of an increase in August 1951 in monthly ticket charges.

Application for fare increase

44. On 1st October, 1965 the Company applied for an increase in fares. The reasons put forward in support of this application can be summarized as follows:

(*a*) Higher operating costs due to wage and salary increases and higher maintenance costs of piers and vessels. Figures produced by the Company's auditors showed that operating costs in 1965 were 23% higher than in 1964. This increase was largely attributable to the introduction of the service between Hong Kong Island and Hung Hom in June 1965 at Government's request.

(*b*) The Company's estimates of passenger traffic growth showed that increased operating costs would not be compensated by an increase in revenue from the services.

(*c*) The end of the Company's concession in 1979 had necessitated the introduction of a more rapid rate of depreciation for new ferries and the decision to proceed with the construction of a cross harbour tunnel to be opened in about 1970 had introduced a larger element of risk into the Company's operations.

Public Opposition to Passenger Transport Fare Increases

45. Prior to the Company's application for an increase, a number of articles had appeared in part of the Chinese press drawing attention to rumours that discussions were in progress on public transport fare increases which were to be justified on the pretext of increased operation costs. Prominence was given to the unfavourable reactions of certain civic leaders and some editorial comment was extremely critical. The assumption that any increase would be large seems to have been fairly general, e.g. 'How could a family of five mouths afford extra expenses of several tens of dollars a month?' (morning paper 15/9), and Government was urged by one paper to allay public fears of such an increase, described as 'a challenge to the public interest'.

46. Opposition to an increase in public transport fares took a number of forms. The most widely published appear to have been the following.

(*a*) *Past profits and future growth potential*

None of the commentators seems to have envisaged either a temporary pause or a permanent halt in the growth of passenger transport. This attitude is illustrated by one paper's statement 'Everyone knows that public transport companies have reaped and will continue to reap huge profits every year. The increase of their expenses has been more than offset by their increased income from the increasing number of passengers' (evening paper 14/9).

(*b*) *Poor Service*

Some of the comment stressed that the public considered the public transport services in general to be far from satisfactory and that the companies tended to show more concern for making a profit than for serving the public.

(*c*) *Special position of monopoly undertakings*

It was suggested that whereas ordinary private enterprises were entitled to strive for the maximum profits, public transport companies were under a special obligation to the public because their operations are protected by franchise.

(*d*) *Harmful effect on economic stability*

Many of the comments stated that any increase in public transport fares would lead inevitably to a general increase in prices and have an adverse effect on the economy. Some stressed the point that the hardships of higher fares would fall mainly on the poorer classes; other feared a further weakening of Hong Kong's economic situation at a time of business depression.

47. The conclusion reached in the bulk of the press comment at this time was that Government must reject any application for fare increases, even if justified, in the overriding interests of avoiding a spiral of price increases. One paper suggested (Sept. 16th) that the fares could be reduced in view of the profits which public transport companies had made in the past.

48. Throughout this, there was little comment by the public transport companies or by Government and it appears that only two papers mentioned the fact that present charges were not high, taking into account the current level of the cost of living, and that an increase might be justified. One paper mentioned on September 16th that the alternative would be to increase taxes to subsidize public transport. However, even these papers stressed the strength of public opposition to any increase in fares.

49. Comment in this vein continued through October, 1965 and both the Chairman and the Secretary of the Advisory Committee on Public Transport, the forerunner of the Transport Advisory Committee, were attacked for reported statements that fare increases were inevitable and were not necessarily a disaster if they were essential to the improvement of service or the maintenance of an acceptable standard of service (morning and evening papers October 6th). A suggestion by the Chairman of the A.C.P.T. on 20th October that the people of Hong Kong 'are prepared to pay for an efficient system of transport at reasonable standards rather than put up with an inadequate but cheaper service' was widely criticized.

50. A Legislative Councillor was quoted as saying that he doubted whether an increase in fares would result in an improvement in services, and the unfavourable reactions of certain civic leaders were prominently reported in most papers. The critics lost no time in putting forward the view that the A.C.P.T.'s widely published acceptance of the inevitability, and possibly the desirability, of fare

increases would encourage other companies to apply and gave the impression that increases were the idea of the authorities rather than the need of the companies themselves. It was also suggested that much of the excessive profits made by the Companies was channelled back to Government in the form of royalties and profit tax and it was implied that Government had a direct interest in increased fares. Recent increases by Government in school fees and water charges were alluded to. No mention was made of the insignificant part played by the royalty in relation to Star Ferry fares: it was in fact too small to affect the matter either way.

51. When it was confirmed by Government on October 28th that the Star Ferry Company had applied for a fares increase it is hardly surprising, in the light of this background, that the news was greeted with a barrage of opposition. On 28/29th October the Chinese press contained a number of editorials strongly opposing the application and this trend continued thereafter. The main theme was that an increase in the fares of one public transport undertaking would inevitably lead to increases in the others; and that this would increase the burden on the shoulders of the less fortunate sections of the community and would lead to general price inflation. One newspaper said that 'The introduction of increases in public transport fares is a major issue which will likely create chain reactions, cause general inflation, upset the economy and affect people's livelihood'. A number of other papers also referred to chain reactions and urged Government to refuse the application. The only commendation came in a comment applauding Government's action in making public the receipt of an application rather than merely announcing it after a decision had been made and it was too late for the public to express opposition. None of the press comments appears to have mentioned the provisions of the legislation regarding the Company's right to resort to arbitration in the event of an application for a fare increase being refused.

52. Press comment during November generally stressed the unfavourable timing of the Star Ferry Company's application and referred frequently to economic recession and fears of inflation. The press gave prominence to widespread public opposition and a feeling that public transport company profits were already excessive and unjustified by the standard of service provided. The opposition of a number of civic bodies (kaifongs, trade unions, the Chinese Manufacturers' Association, the Civic Association, and the Kowloon and the Chinese General Chambers of Commerce) was highlighted and the hope expressed that Government would bow to public opinion. On 4th November, it was reported that the Civic Association had resolved to hold a mass meeting if the situation justified it. The Company sought to explain the proposed new fare structure in a statement and press conference on 4th November. However, these failed to convince and almost all editorials followed a common theme—that the fare increase was unjustifiable and should be rejected by Government if not withdrawn by the Company.

53. On November 11th, prominence was given to a statement by the Hon. Y. K. KAN, Chairman of the Advisory Committee on Public Transport, that it was unlikely an early decision could be reached on the application and giving an explanation of the arbitration procedure to which resort would be made in the event of a deadlock. Certain papers criticized reference to arbitration apparently without being aware that this was the law and not within Mr. KAN's powers to decide. It was also reported that Mrs. ELLIOTT, an elected member of the Urban Council, had launched a signature collecting campaign for a petition to H.E. The Governor to oppose fare increases in public transport services. Together with the report was a form which she asked residents to sign and send to her for submission to the Governor. The form simply said, 'I agree to the contents of the petition opposing increase in fares of public transport'. From evidence given to us it seems doubtful whether many who signed this or other forms knew what was in the petition and it is to be noted that this form refers to public transport generally and not simply to Star Ferry fares.

54. On 17th November, it was reported that more than 3,000 residents had signed Mrs. ELLIOTT's petition and it was announced that the campaign had been extended for another week. Meanwhile a number of petitions opposing the proposed fare increase had been sent in by certain civic bodies. On 22nd November it was reported that the Chinese Manufacturers' Association had issued copies of the petition to its member factories to be signed and attached to Mrs. ELLIOTT's petition.

55. On 23rd November Mrs. ELLIOTT presented a petition at Government House stated to bear 23,000 signatures together with a covering letter which pointed to the degree of public opposition to public transport fare increases as evidenced by the individual signatures, of which she said she had been promised a further 100,000, and by the views of civic bodies and trade associations which had already expressed their opposition. This was widely reported in the press and her action supported. A further attempt by the Star Ferry Company's Chairman on 25th November to defend the increases and correct apparent misapprehensions was unsuccessful and received further criticism. A report, on the same day, of the setting up of the Transport Advisory Committee with Mr. KAN as Chairman and including Mrs. ELLIOTT was generally welcomed but some sections of the press questioned the attitude which it would take on the issue of the Star Ferry Company's application in view of the known views of its Chairman and Secretary, but no comment of this kind seems to have been made about Mrs. ELLIOTT's views. When the Star Ferry Company's application was referred by Government to this committee on December 1st, press comment tended to die down, with only occasional mention of various organizations submitting their views to Government and reiterated opposition in editorials to any increase.

Mrs. Elliott's Petition

56. In her evidence before us Mrs. ELLIOTT explained that she had decided to organize a public petition as a result of seeing, through the medium of Government's daily Chinese Press Summaries, the fears expressed in the Chinese press of fare increases causing a spiral of price increases. She also told us how she had been assisted in obtaining signatures by the press publicity given to her campaign and by various organization whose support she had requested.

57. The petition submitted on 23rd November stated four reasons for opposing the Star Ferry Company's application which can be summarized as follows:

(*a*) the Company's past profits had been excessive for a public utility (the figures were quoted);

(*b*) the proposed fare increase would increase the Company's revenue by a figure far in excess of the amount required to maintain the present standard of service;

(*c*) if Government accepted the Star Ferry Company's application, it would be a signal for other companies to apply and such applications would be difficult, if not impossible, to refuse; and

(*d*) the burden of extra fares would fall on those least able to pay and the general economic situation was most unsuited to a general fare increase, even if this was justified by profits having fallen to an unacceptably low level.

58. The petition drew attention to the need to: (*a*) establish a yardstick to determine adequacy of service—and suggested that the current Passenger Transport Survey would deal with this by the end of 1966; (*b*) stipulate a reasonable level of profit for public transport companies as had been done by Government in the case of the Hong Kong Telephone Company; and (*c*) consider reducing royalty before raising fares.

59. Finally, the petition requested: (*a*) that all applications for fare increases submitted during the following 12 months be closely studied but none approved during the period; (*b*) that the full report of the Passenger Transport Survey and the study of the finances both past and present of the public transport companies be made public as soon as practical; and (*c*) that no steps be taken behind closed doors to raise fares or initiate other measures to the detriment of the public.

60. Taken by themselves these were cogent and attractive arguments but they ignored a vital factor: the terms of the Company's franchise.

61. A reply to this petition was sent on 8th December and released to the press. The reply noted the views expressed and stated that 'it is the intention of

Government, before a decision is taken, to seek advice on the application of the Star Ferry Company Limited from the newly-formed Transport Advisory Committee of which you are a member. It is within the competence of this Committee to report its views on the appropriateness of fares charged by public transport companies and to communicate with the public on this matter. The Chairman of the Committee has already publicly stated that he will do his best to ensure that the views of the public are communicated to the Committee and it may be reasonably assumed that members of the Committee will endeavour to make themselves fully aware of public opinion on matters referred to them'. It is to be noted that this letter also made no reference to the terms of the Ferry Franchise and the limits this might place on giving effect to public opinion.

62. On 12th January, 1966 Mrs. ELLIOTT presented a second petition purporting to contain a further 155,000 signatures in opposition to passenger transport fare increases. She was quoted in an English newspaper as saying, 'I am personally opposed to any kind of fares increase as I don't think the public can support it at this time. It's simply a case of the people's interest weighed against a few people who are by no means in need of the extra profit they wish to make out of the public'. She is also reported as having made a plea for all the details connected with the application to be published.

The Transport Advisory Committee

63. On 1st December, 1965 the Company's application was referred to the Transport Advisory Committee which has an unofficial Chairman and fourteen members of whom eight are private citizens and six are Government officials. This Committee considered the application, made further investigations and submitted a majority and a minority report on 17th March, 1966.

64. The majority report, signed by all but one of the Committee members, examined various aspects of the ferry company's application and recommended a revised fare schedule which is set out in Appendix 4, subject to a regular annual review of fares to ensure that profits were maintained at a rate of return on capital employed which the Committee considered to be reasonable. The effect of the revised fare schedule proposed was to increase the price of monthly tickets and first class tickets but to leave unchanged the price of 2nd class tickets.

65. Since both the majority and minority reports have been published, it would be superfluous to summarize the contents here. However it is of importance to highlight certain aspects of the two reports in view of the evidence before us that they were the subject of wide misunderstanding.

Majority Report

66. The Committee's report deals at some length with the main arguments of those opposed to an increase: namely that Star Ferry fare increases were not

justified; that if the Committee found them to be justified, they would be unable to refuse applications from other public transport companies for fare increases; and that any fare increase would have a serious inflationary effect on the economy. The majority report tried to allay public fears regarding the direct and indirect effects of an increase by pointing out that expenditure on Star Ferry fares constituted only .075% of average household expenditure (3.2% for all transport expenditure) and therefore any increase would have a scarcely perceptible effect on consumer prices and the economy as a whole. It also tried to counter the argument that price increases weighed most heavily on the poorer sections of the community by recommending that increases be restricted to first class fares only. Finally, it pointed out that the public would have a chance to comment on the recommendations before a decision was made by Government. Public reaction to these arguments will be considered below.

67. The Committee did not however accept entirely the Company's proposed fare structure nor the level of 'fair remuneration' proposed by the Company. Furthermore, the Committee strongly recommended amendment of the legislation to introduce a range within which profits should be allowed to vary and outside which fares should be varied. This was designed to obviate the difficulty presented by the existing statutory arrangements under which, according to the legal opinion given to the Committee, past profits could not be considered.

68. The Committee also mentioned the possibility of reducing royalties but did not recommend this course because the low pier rents paid by the Company amount to a subsidy roughly commensurate with royalty payments.

69. Finally, the Committee stated that its terms of reference and the relevant legislation provided a legal framework within which its recommendations had to be made but this attracted very little attention.

Minority Report

70. In Mrs. ELLIOTT's minority report, no mention was made of the statutory provisions within which the Committee was required to work nor, in particular, of the legal opinion referred to in paragraph 82 of the majority report that 'in acting to vary fares the Governor-in-Council should look to the future . . . .' Mrs. ELLIOTT's report simply states, 'I strongly disagree with the Committee's view that past high profits (very much higher than now recommended) should not be taken into account when considering the need to raise the fares now'.

71. Although her report is critical of the forecasts of passenger traffic revenue and operating costs etc. made by the Company and the Committee, she avoided making any forecasts of her own or any statement as to what she considered a reasonable return or what substantial cost savings could be achieved without impairing the service.

Public comment after release of Transport Advisory Committee's report

72. During March 1966 a number of reports had appeared in the press forecasting approval by the T.A.C. of the Star Ferry Company's application. These were coupled with criticism of the Committee for failing to seek the views of the public which, it was claimed, was strongly opposed to increases.

73. On March 19th official announcements were reported of increases in postal charges for letters to China, Taiwan, and Macau and of fees for use of the facilities in the City Hall. It was also reported that the rents for certain low cost housing estates would be increased by 10% on 1st April. These reports aroused strong editorial criticism in certain papers of the authorities taking the lead in increasing charges and thereby adding to the burden of the poor. It was claimed that Government action would be widely interpreted as setting an example for the public utility companies to follow.

74. These reports were linked with further reports of tax increases in the budget proposals (increases in petrol and tobacco duty and in vehicle licence fees and increased rates of salaries and profits tax) and of proposed increases in parking fees. Most sections of the press and a large number of named public leaders were critical of the bunching together of these increases, emphasizing that it was not the individual increases which were so significant, but the 'inflation caused by chain reactions touched off by these increases that would deal a serious blow to the poor section of the community'.

75. Between 20th March and the start of the disturbances with which this report deals the Chinese press gave prominence to reports of the unfavourable reactions of some public leaders and civic bodies to the Transport Advisory Committee's report and to speculation as to whether other public utilities would follow suit. Although copies of the Report were made available to the Press, little or no publicity appears to have been given to the actual recommendations in the report nor to the reasons stated for these recommendations and it is clear from some of the comment that these were either misunderstood or ignored. Generally the criticism rested on the Committee's failure to accept public opinion and on its conclusions that an increase in the Star Ferry fare would have little effect on other prices and the general livelihood of the community. Only one paper referred to the statutory limitations which bound the committee and the Governor-in-Council; no mention appears to have been made of the Company's alternative right to arbitration.

76. The English language press took no unanimous line. There were some well reasoned editorials which endeavoured to direct public opinion towards the issues involved without necessarily supporting the committee's conclusion. One paper was critical of the timing of the proposed increase, another gave great prominence to alleged comment by Mr. LI En Yu, executive director of the

Chinese Manufacturers' Association, that he had been told of thousands seeking a wage rise to cover the additional cost. As will be seen from other parts of this report, comment of this kind made a considerable impact on young and impressionable minds. The same newspaper gave considerable publicity to Mrs. ELLIOTT's appeal on 20th March for a massive letter-writing campaign and to her subsequent appeal to 200 organizations on 3rd April: this appeal and the publicity given to it was to have a significant effect on subsequent events.

77. Whilst it is clear from all this that by the beginning of April, 1966 there was widespread interest in the Star Ferry fare issue it is no less clear that the Transport Advisory Committee and the man in the street were not seeking to answer the same question. The man in the street had been encouraged to think about, and to answer, a very simple query: do you want an increase in the price of transport? The Transport Advisory Committee was required to answer something quite different, viz, under the terms of its franchise, is the Star Ferry Company entitled to an increase in fares? Failure to appreciate this difference played, we think, a significant part in creating the situation which led up to the events of the 4th to 9th April.

78. It may also be noted that, in effect, as a result of referring the company's request to the Transport Advisory Committee, a substantial part of the 12 months delay sought in Mrs. ELLIOTT's petition supervened and the company, as a result of the committee's advice and Government's ultimate decision, received considerably less than the increase in fares which had been requested: but these were matters that received little public notice.

PART III

THE DISTURBANCES

INTRODUCTION

79. In the five chapters of this part we set out in chronological sequence an account of the principal events between 4th and 9th April, as they appear from the evidence presented to us. Inevitably, in seeking an overall picture, the most comprehensive information was to be found in police sources, but we would like here to pay tribute to the assistance we have had from the very wide coverage given to these events by the press, both through photographs and text, and to the readiness of newspaper reporters and photographers to come forward and give us their own recollections of what they saw; recollections which in many cases proved to be remarkably vivid and helpful.

80. For some of the narrative, particularly for the events of the 5th and the earlier part of the 6th, we were largely dependent on statements from demonstrators, who in many respects showed themselves unreliable witnesses but, subject to particular reservations mentioned later, we think the description contained in the following chapters gives a reasonably reliable account of what occurred.

CHAPTER 1. THE EVENTS OF APRIL 4TH AND 5TH — THE DEMONSTRATIONS

81. *'The Hunger Striker'*. The first incident in the sequence of events preceding the demonstrations and riots in Kowloon was the appearance on 4th April, at about 9 a.m., at the Star Ferry Concourse, Hong Kong, of a young man, later identified as SO Sau Chung, aged 27 and variously described as artist, translator or unemployed. He took up a prominent position between the subway and the turnstiles, wearing a black jacket on which were painted in English and Chinese the words 'Hail Elsie! Join hunger strike to block fare increase', 'Democratic' and, in Chinese, 'Oppose gambling'.

82. During the day he was approached by a number of newspaper and radio reporters to whom he declined to identify himself but said that his object was to maintain a hunger strike on the concourse until he collapsed or the proposal to increase the ferry fares was withdrawn. He indicated that the idea was entirely his own, though he had been inspired by the example of Mrs. ELLIOTT and a Mr.

MA Man Fai. In an interview with a reporter of the Commercial Radio he said, 'I consider that too many people have written in letters and writing letters cannot obtain any effect. There should be more or less some action . . . .'

83. His demonstration attracted considerable attention from passers-by and some feelings of sympathy and support. The only notable incidents during this day were when he was visited by Mrs. ELLIOTT in the evening and by a 19 year old Eurasian youth called RAGGENSACK on two occasions in the afternoon and evening. The former said in her evidence to us that she had told SO that, 'I was rather worried about him being on a hunger strike and that I had already tried to take steps to get the support of civic bodies and I did not think it was necessary for him to continue his action'. SO, in reply to a Commercial Radio interviewer's questions relating to this conversation said, 'It is a sort of encouragement. One or two sentences of encouragement and also asking me to take care of my health. But she believes that I know better what to do'.

84. In his evidence, RAGGENSACK told us of having spent several hours watching SO before being approached by him to join in the demonstrations and of then agreeing to make a speech the next day in opposition to Star Ferry fare increases and in support of SO's action.

85. Soon after the ferry services stopped running in the early hours of the morning of April 5th, SO returned home to sleep.

86. The activities of this young man were widely reported in the morning press and some newspapers praised his courage and expressed support for his action. Mrs. ELLIOTT was reported as saying that the move taken by the young man could be taken as a representation of true public opinion and that many people would support him.

87. *Spread of support for 'the Hunger Striker'*. Shortly before 11 a.m. on 5th April, SO resumed his original position in the ferry concourse, where he continued to attract the attention of passers-by and the press. On this occasion, however, he asked a number of young people to help him and he was joined intermittently during the day by some of the youths who were prominent in later events. Photographs of SO and some of his helpers are at Plates 1 and 2.

88. The first of those to join him appears to have been a 16 year old student called AU YEUNG Yiu Wing, who described to us how SO had asked people in the crowd to give him newspapers reporting the hunger strike and how he had stepped up onto a parapet in the concourse with two other young men to help SO hold the newspapers. Later he saw a 19 year old factory worker called LO Kei join the group of demonstrators and described how SO wrote placards for his supporters to hold. After standing with SO for some time, AU YEUNG crossed the harbour accompanied by a youth with slogans painted on his jacket and they

staged a demonstration at the ferry concourse on the Kowloon side, soliciting signatures from passers-by in blank exercise books. Shortly after, they were joined by a youth with a flag. According to AU YEUNG, the suggestion for the demonstration in Kowloon was made by SO, 'who said something to the effect that it would not be enough to confine ourselves just to Hong Kong side, there must be activities also in Kowloon'.

89. Other similar accounts of the events of the afternoon of April 5th were given to us by a number of the demonstrators who joined SO at the ferry concourse. RAGGENSACK and LO Kei described how the former made a short speech in support of SO whilst RAGGENSACK and a young factory accountant, called Miss LUI Fung Oi, gave accounts of SO's arrest. The motives for the young people joining SO were stated as follows:

> 'LO Kei: "I felt what he was doing was completely consistent with righteousness" . . . . "As it was a public holiday I was very glad to join him".
>
> RAGGENSACK: "and then I told one of the reporters, I think, somebody should support him or help him out in a way".
>
> Miss LUI: "I supported him in his opposition to Star Ferry fare increases".
>
> Q. Had you thought about this before?
>
> A. No.
>
> Q. The idea came to you then, did it, as you watched So?
>
> A. Correct'.

90. All these young people in their evidence to us denied having known each other before and all agreed that, although they opposed fare increases, they had not thought of doing anything about it until they saw SO's protest. The single factor which brought them together was curiosity about SO and his hunger strike, which came to their attention mainly through newspaper reports.

91. *SO's arrest.* Shortly after 3 p.m. on 5th April, SO moved with RAGGENSACK to a position immediately outside the first class entrance to the ferry piers and, within a few minutes, a crowd of about 60-100 persons had gathered around him, causing an obstruction to the turnstiles. At 3.45 p.m., he was warned by police officers to move and told that if he did not do so he would be arrested. He ignored the warning. He was given a second warning. Again he refused to move and at about 4 p.m. he was arrested and taken away. There was some reaction from the crowd, a certain amount of jeering and shouting, as the Police took him away. At Central Police Station he was charged with obstruction and offered bail, which he refused.

92. *Visit to Government House.* Immediately after SO's arrest, RAGGENSACK walked over to the other demonstrators to warn them of the arrest and it was decided to go to Government House to present a petition. There is some conflict of evidence as to who prepared this petition and as to whether the intention was

to request the Governor to release SO. A group of six or seven demonstrators went by taxi to Government House where LO Kei handed in a note at about 4.35 p.m. The note read:

> 'Hong Kong people should be proud to have someone to fight against the "fare" increase, and there should be more supporters not necessarily on hunger strike'.

According to a newspaper reporter, these words had formed part of RAGGENSACK's earlier speech at the ferry concourse.

93. While waiting outside Government House, this group was joined by four or five demonstrators from Kowloon who had meanwhile been warned by Miss LUI of SO's arrest and had crossed the harbour and joined the main group. A photograph of some of the demonstrators speaking with press reporters outside Government House is at Plate 3. After handing in the note, they discussed their next move and decided to try and see Mrs. ELLIOTT, whom they knew to be prominently connected with the opposition to ferry fare increases. Miss LUI telephoned and ascertained that she was attending an Urban Council meeting. The group dispersed when asked to do so by the Police at about 5 p.m.

94. *Visit to Central Government Offices.* After leaving Government House, the demonstrators walked to the Central Government Offices, where they stood with placards soliciting signatures from passers-by. Meanwhile, LO Kei, RAGGENSACK, Miss LUI and a young man called LAM Siu Lok went up in the lift to the Urban Council Chamber seeking Mrs. ELLIOTT and, according to some witnesses, Mr. BERNACCHI, who was also attending the meeting of the Council. She was met coming out of the Chamber with Mr. BERNACCHI. Both were told of SO Sau Chung's arrest and their guidance was sought.

95. Mr. BERNACCHI apparently indicated the need for police permission to demonstrate and told the group to see the Secretary of the Reform Club next morning and make a statement. What Mrs. ELLIOTT said is not entirely clear. A journalist told us she used words to the effect that all Hong Kong would be proud of those who had helped SO 'as it would draw attention to circumstances in Hong Kong'. Mr. BERNACCHI in his evidence was not so specific as to her words, but maintained that she certainly indicated her support for what Mr. SO was doing. In her evidence to us she said that she had told them they were very brave but was worried lest they break the law.

96. *Visit to Central Police Station.* Mrs. ELLIOTT, RAGGENSACK, LO Kei, LAM Siu Lok and Miss LUI went by taxi to Central Police Station where Mrs. ELLIOTT and RAGGENSACK were permitted to interview SO Sau Chung at about 7.15 p.m. She offered to go bail for him which he refused and she discussed with him what course he should follow in court. SO asked Mrs. ELLIOTT and RAGGENSACK to carry on with his work but, again, there was some suggestion that he qualified this by an admonition not to break the law. At SO's request, Mrs.

ELLIOTT agreed to go and see his parents. Meanwhile, LO Kei sought the use of a telephone and telephoned at 7.20 p.m. to the duty officer at Tsim Sha Tsui Police Station, who gave evidence to the effect that the speaker gave his name and stated that he was the leader of a demonstration and they would be holding a procession that evening in Nathan Road as a protest against the proposed Star Ferry fare increase, that ten or more would be taking part but without carrying signs or slogans and that they would keep the procession in good order. Asked for his address, he gave it and a telephone number but hung up immediately thereafter. When the duty officer phoned back to the number as a routine check, has was not available there. Apparently no mention was made on either side of the need for, or intention to seek, a permit. We were also told by RAGGENSACK of what may have been another telephone call by LO Kei at this juncture to which we will refer later.

97. Information had already reached the police in Kowloon that demonstrators would be coming from Hong Kong to Kowloon to solicit signatures and Mr. SUTCLIFFE (Acting Senior Assistant Commissioner of Police in Kowloon) had given instructions that, provided they did not cause obstruction, they were not to be interfered with at the Star Ferry, but their movements should be watched by uniformed and plain clothes police.

98. *The Demonstration March.* After visiting SO's parents with Mrs. ELLIOTT and bringing his mother back to Central Police Station to visit her son, the young people walked to the Star Ferry where they met the rest of the group which had demonstrated outside the Central Government Offices. They then crossed the harbour to Kowloon and stood at the ferry concourse for a few minutes shouting slogans and collecting signatures from passers-by.

99. Around 9.15 p.m., this group, now amounting to about 20, began to move down Salisbury Road away from the Star Ferry and into Nathan Road, walking on the east side of the road and carrying three or four banners and placards. They proceeded as far north as Bute Street, which they reached about 10.10 p.m., chanting, 'We object to the increase' and occasionally asking members of the public to sign the petition against the increases. They then turned round and moved south again, but diverted briefly into Kimberley Road and Carnarvon Road, reaching the Star Ferry concourse at about 11.20 p.m. The crowd was growing a little all the time. The estimates of its size when it got back to the Star Ferry varied between 30 and 300. No doubt it was a matter of some difficulty to distinguish who was actually a member of the crowd and who was merely an interested onlooker, possibly following the group for a short period: probably it was about 150 strong, mainly youths. The photographs at Plates 4 - 7 show the demonstrators at different stages of the march and give a clear impression of the mood of the demonstration.

100. At about 11.30 p.m. they were addressed by LO Kei and RAGGENSACK near the Star Ferry Concourse and the crowd began to grow larger and rowdier.

These addresses seem to have been more inflammatory and LO Kei, in particular, appears to have injected something of a racial touch by shouting, 'We are all Chinese living in a Colony, should Colonialism continue to exist?'. But this attracted no particular reaction and the crowd then moved off again along Salisbury Road into Nathan Road, diverting to the right through Humphreys Avenue, Carnarvon Road, Austin Avenue and Austin Road, and then returning to Nathan Road. Some evidence suggests that, near the junction of Austin and Nathan Roads, RAGGENSACK again addressed them, although he himself denied this. They were now about 300 strong and, just before midnight, moved off again in straggling groups northwards along Nathan Road, causing some obstruction. Half an hour later they were in the vicinity of the Shek Kip Mei Resettlement Estate. Slogans protesting against the fare increase and supporting Mrs. ELLIOTT were being shouted and the crowd was said to be in a boisterous mood. They worked their way through the Resettlement Estate, proceeding to the junction of Tai Hang Sai and Tai Hang Tung Roads, where they were addressed briefly by three Chinese males. The number, by this time, was about 400, almost entirely youths and children. They then retraced their steps and walked down Castle Peak Road against the traffic to the Li Cheng Uk Resettlement Estate. At the junction of Wai Wai Road and Tonkin Street and again at the junction of Wai Wai Road and Wing Lung Street they stopped and squatted in the road and shouted the same slogans as before. They processed round the western end of the Resettlement Estate, continued northwards along Po On Road towards Lai Chi Kok, then entered Castle Peak Road and headed southwards. They stopped twice and squatted on Castle Peak Road, traffic being obstructed. The word 'protest' in Chinese was frequently heard.

101. The crowd was still about 400 strong, generally amenable to police direction and not causing much obstruction to traffic, but it was tending to get tumultuous. Mr. SUTCLIFFE had been alerted at 1.30 a.m. At about 2.30 a.m. near the junction of Prince Edward Road and Nathan Road, he stopped the leaders and warned them to behave in an orderly way and not to cause obstruction. The march was then resumed towards the Star Ferry which was reached about 3.30 a.m. Mr. SUTCLIFFE addressed the crowd again, saying that he could permit no further processions and asked them to disperse peacefully. This was greeted with cries of 'Objection, objection'. They tried to move off towards Salisbury Road but were stopped by a police cordon. A Chinese television cameraman, in a most commendable effort to preserve public order, suggested it might be helpful if he addressed them as the demonstrators were youthful and probably not fully aware of the implications of what they were doing, but his appeals were ineffective and met with some jeers. They were allowed to pass the cordon in small groups of five but these immediately started to link up again, on the far side of the cordon, and returned to the Star Ferry concourse area. Mr. SUTCLIFFE approached the ring-leaders but was quickly surrounded and cut off from the other police officers.

He was struck in the back by one of the demonstrators, who was arrested. This demonstrator strenuously resisted arrest. The photograph of the incident, which appears at Plate 8, and the news film we saw indicate how his struggles may have led some newspaper reporters to jump to the conclusion, which was repeated to us, that he was being pulled by the hair. Three other demonstrators were arrested at about the same time and thereafter the crowd did disperse, although it seems that these arrests caused a considerable measure of resentment and certainly formed an active subject of conversation as well as protest amongst some of the demonstrators when they got together again later that day.

102. The incidents of this evening illustrate how an orderly demonstration may attract followers merely out of curiosity and adventure seeking, and how, in the excitement of a march, these may easily be inflamed by a few speeches and slogans, until any resistance by authority to their movements and actions is greatly resented.

CHAPTER 2. THE EVENTS UNTIL DUSK ON APRIL 6TH, 1966.

FURTHER DEMONSTRATIONS

103. Before detailing the events of this, the most significant day, it is desirable to indicate the precautions now taken by the police.

104. *Police precautions.* In the light of the events which had occurred, the District Commanders Kowloon and Hong Kong Island gave orders before dawn on the 6th to all divisional superintendents to form their District Emergency Force companies. Arrangements were also made for the opening up of the operations room in Police Headquarters and the combined Police and Military operations room in Kowloon Police Headquarters. Owing to shift duties, leave etc. formation into District Emergency Force takes some time, but shortly after 9 a.m. the five Kowloon companies were on standby. Company commanders were briefed on the events which had occurred and additional transport required for all companies was ordered to be available at 5 p.m. The Police Training Contingent Company was called in from the New Territories to stand by as reserve Company in Wong Tai Sin Police Station, where it arrived at 11.15 a.m.

105. When the Police Force forms into emergency structure, each division mobilizes a para-military formation of company strength for riot suppression. Each riot suppression company consists of 128 all ranks, comprising a company headquarters of five and three platoons, each of 41 men. The company is commanded by a gazetted police officer and each platoon by an inspector. Each platoon, in turn, comprises four sections consisting of one NCO and seven men. These are variously armed to reflect the different situations which may be encountered by the company and the different degrees of force required to be used. One section is armed with riot batons and rattan shields; the second with CS tear smoke pistols; the third with

.300 calibre carbines; the fourth section's task is to secure prisoners. In addition, a number of platoons engaged in riot suppression on this occasion carried the Federal Gas gun and used it to fire wooden projectiles only. The whole company is mobile and Company Headquarters is equipped with a radio in a land-rover for communication with each of its platoons and with District Headquarters. Each platoon is similarly self-contained with a wireless land-rover for Headquarters and two large personnel carrying vehicles for the striking force.

106. Following on these preparations, the Commissioner of Police, Mr. HEATH, convened a meeting at noon at Colony Police Headquarters, attended by all major police formation commanders, the Defence Secretary, the Chief of Staff, Headquarters British Forces, and the Director of Information Services. The events on Hong Kong Island and in Kowloon since the beginning of SO Sau Chung's hunger strike were reviewed in detail, as was the threat of any political or triad interest in, or exploitation of, the position. No evidence of organized political or triad organization was disclosed but it was considered that a potentially dangerous situation was discernible, which could develop into disturbances and rioting if demonstrations by teenagers and youths continued. It seemed likely that they would continue, the evening of 6th April being reckoned the main danger period immediately ahead.

107. Accordingly the Regular Force on Hong Kong Island and in Kowloon was ordered to be mobilized in emergency structure by 7 p.m., while the Auxiliary Police were placed on stand-by from 8 p.m. The military brought one company of the 1st Bn. Queen's Own Buffs to one hour's notice and alerted the remainder of the garrison to the situation. Full Force mobilization was ordered at 10.50 p.m. including the Auxiliary Police.

108. On full mobilization, the distribution of Police manpower in Kowloon District on the night of 6/7th April was as follows:

Uniformed Branch	...	2,655	*C.I.D.* ...	...	347
Divided between:					
Riot companies	...	947			
Stations ...	...	819	half on duty and half off duty		
Mobile patrols	...	127	half on duty and half off duty		
Foot patrols	...	383	half on duty and half off duty		
Special & unallocated	...	328			
Pol./Mil. H.Q.	...	51			

109. *Western Magistracy.* Meanwhile at 10 a.m. on April 6th, SO Sau Chung appeared at Western Magistracy to answer a charge of obstruction on the previous afternoon. The publicity given by the press to the activities of the demonstrators added to the growing mood of public excitement and ensured that the proceedings

would attract a crowd. In the event, the courtroom was packed and a number of SO's supporters, including LO Kei and Miss LUI who had come over from Kowloon to attend the proceedings, could not gain admittance. The evidence suggests that the attendance of some of the demonstrators at these proceedings was not coincidental and that LO Kei had arranged during the demonstrations of the previous evening for some to attend the court proceedings and some to go to the Star Ferry to continue the protests.

110. After the conclusion of the court hearings, at which SO pleaded not guilty to the charge and was remanded on bail put up by his father, the demonstrators apparently split into several groups. SO himself, who was cheered on leaving the court, went to the Star Ferry Concourse where he addressed a crowd of passers-by. A big crowd quickly gathered and SO was warned by a policeman to leave. He got into a taxi and was driven home before more police arrived. The crowd then dispersed without incident.

111. *Visit to Reform Club.* Meanwhile, LO Kei and Miss LUI proceeded to visit the Reform Club, in accordance with the advice given by Mr. BERNACCHI outside the Urban Council Chamber on the previous evening. They were accompanied by one Frankie YUEN, who told us he had been following the activities of the demonstrators merely with 'curiosity', and arrived at the Reform Club premises at 11 a.m. There they found two young workers called LEE Tak Yee and MOK Lok Wai; these, they claimed, they had never met before in spite of the fact that they had all taken part in the demonstration of the previous evening; the two groups also claimed that they came independently to make a statement to the club. At the Reform Club, these five persons made statements which were recorded by the Organizing Secretary, Mr. Patrick WONG, for Mr. BERNACCHI's information and they were told to telephone in the afternoon, when Mr. WONG would tell them at what time a meeting with Mr. BERNACCHI could be arranged. The statements recounted the events of the previous day and night and gave prominence to allegations of police violence in arresting demonstrators, which the authors (Miss LUI and Frankie YUEN could not have seen if their own evidence as to their movements on that night is to be believed. It seems from the statements given and from their own evidence that the aim of this visit was to obtain the general support and the use of the facilities of the Reform Club, in order to elicit support from the press and radio and from other organizations and to attract the personal attention and interest of public figures such as Mr. BERNACCHI, by seeking his advice—although it is problematical whether they ever intended to follow it—on how to keep further demonstrations within the law. It seems there was already every intention at this stage to proceed with further action.

112. Whilst at the Reform Club premises, LO Kei wrote out, in the form of a petition which he later presented at Government House, a copy of the statement which he had made to Mr. WONG.

113. *Second visit to Government House.* On leaving the Reform Club, this group walked to Government House and presented the petition which stated:

'(1) I do against fare increase,
(A) Chain effects—other companies would have to follow too.
(B) Depreciation of H.K. currency.
(C) Family burden increase.
(2) Demand police apology for arresting Mr. SO Sau Chung and the other people who support the demonstration.
(*a*) Demand release of all concerned.
The representative of: Mr. Tiger-in-field LO Kei.'

114. An impromptu conference with press reporters was held outside the gates of Government House at 12.30 p.m. and the group then went in a reporter's car to the Star Ferry and crossed to Kowloon. According to their evidence, Miss LUI then returned home, whilst LO, LEE and MOK went to South Kowloon Court to see what had happened in the proceedings against the persons arrested during the demonstration.

115. *South Kowloon Court.* Meanwhile, a third group of demonstrators who had met LO Kei at the Western Magistracy, crossed the harbour at LO Kei's suggestion to South Kowloon Court to find out the result of proceedings against the demonstrators who had been arrested in connection with the assault on Mr. SUTCLIFFE outside Tsim Sha Tsui Police Station in the early hours of that morning. This group learned that the cases would be heard at 12.30 p.m. and, on finding that the demonstrators concerned were not known to them, and that RAGGENSACK was not one of them, they returned to Hong Kong where a number of them loitered in the vicinity of the Star Ferry, occasionally receiving messages from other groups until the meeting in Mr. BERNACCHI's chambers at 5.30 p.m.

116. LO Kei, LEE Tak Yee and MOK Lok Wai arrived at the Magistracy after the departure of this group and, on learning that the cases had been heard, they left without incident. In his evidence LO Kei said that they had gone to inquire about RAGGENSACK's case and that MOK learned of RAGGENSACK's release from a police sergeant at the court. In a later version, he said that he had learned of RAGGENSACK's arrest from Mr. WONG and other sources. On this as on other points we found LO Kei very unreliable; RAGGENSACK had not been arrested at this time.

117. After leaving the Court, LO Kei telephoned to Mr. WONG and was informed that Mr. BERNACCHI would see him at 5.30 that evening. He passed this message on to LEE and MOK and they parted, apparently with an agreement to meet again at the Star Ferry at 4.30 p.m.

118. *Star Ferry Concourse—Kowloon.* At about 3 p.m. a young man, who had been active in the demonstrations on the previous day, appeared at the Kowloon Star Ferry with a placard opposing the proposed ferry fare increase and

all price increases, and appealing for the release of the arrested demonstrators. A crowd soon gathered, causing an obstruction, and he was warned by the police to leave. Following the example of SO Sau Chung, the young man appealed to the crowd, was arrested and taken away. Details of a subsequent interview with him are shown at paragraph 390.

119. This arrest provoked a similar reaction in some of the eye-witnesses to that of SO Sau Chung on the previous day. AU YEUNG spoke of his anger at the arrest, which he claimed to have been within the five minutes warning period, and he and three or four young men crossed on the ferry to Hong Kong with the aim of staging a silent protest on the spot where SO had been standing before. The crowd of onlookers and supporters grew and, on the approach of the Police, the demonstrators took evasive action.

120. *Demonstration in Hong Kong Island.* During the day and early evening a number of small groups of youths with banners were seen in Central, Bayview and Eastern divisions. The only arrests made were of two youths in Eastern district at 11 p.m. and no disturbances occurred on Hong Kong Island. One group which attracted some attention subsequently in connection with the disturbances that broke out later in Kowloon is that depicted in Plate 9. This group of four youths with two banners told reporters that they had walked from North Point to the Star Ferry where they had crossed to Kowloon only to be turned back by the Police. Their movement will be traced in greater detail at a later stage, but it is of some significance to note that whereas a march which was undertaken through the Central District of Hong Kong attracted very few supporters, one subsequently hold in Kowloon had much more success.

121. *Interview with Mr. Bernacchi.* Arising from the statements given to Mr. Patrick WONG by the five demonstrators who had called at the Reform Club in the morning, a meeting was arranged for 5.30 that afternoon in Mr. BERNACCHI's chambers. News of this meeting travelled fast during that afternoon amongst those connected with the earlier protests and other demonstrators and bystanders in the vicinity of the Star Ferry Concourse, Hong Kong; eventually, the meeting was attended by 17 or 18 persons, much to Mr. BERNACCHI's surprise.

122. There is some uncertainty as to how all the participants were notified of the meeting apart from those who heard from Mr. WONG by telephone—LO Kei, LEE Tak Yee and MOK Lok Wai—and RAGGENSACK and Frankie YUEN, who both telephoned independently. The majority appear to have been contacted at the Star Ferry Concourse while participating in or watching the silent protest organized by AU YEUNG after the arrest of the demonstrator at Tsim Sha Tsui. The fact that messages were sent to the homes of SO Sau Chung and Miss LUI indicates some degree of planning at this stage behind the apparently coincidental gatherings.

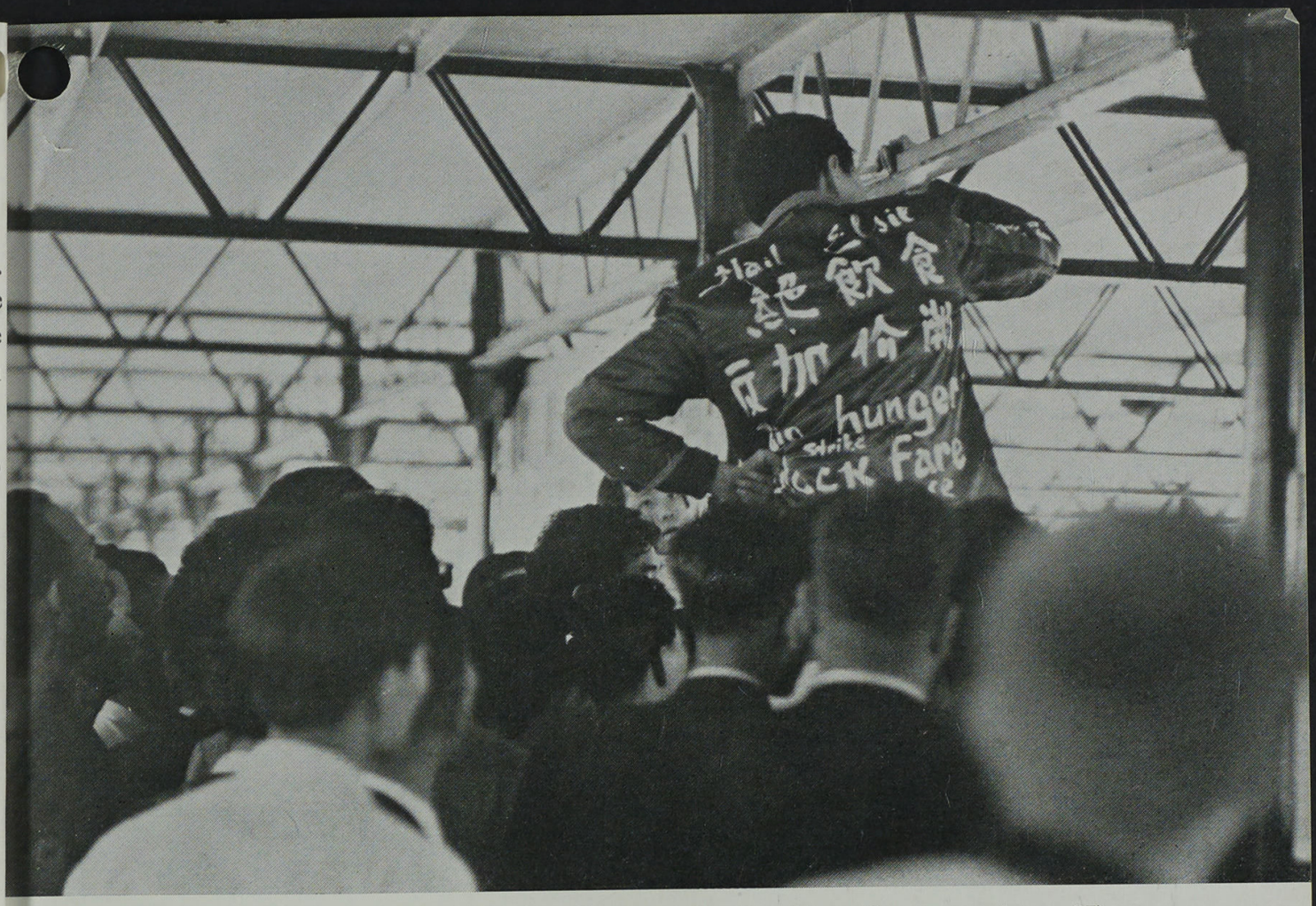


Plate 1 The 'Hunger Striker', SO Sau Chung, at the Star Ferry Concourse. (para. 87).

THE 'HUNGER STRIKER' AND DEMONSTRATIONS

Plate 2 Demonstrators at the Star Ferry Concourse, collecting signatures and displaying banners. (para. 87).

THE 'HUNGER STRIKER' AND DEMONSTRATIONS

Plate 3 Demonstrators being interviewed by the Press outside Government House after SO's arrest. (para. 93).

THE DEMONSTRATION MARCH

Plate 4 Demonstration before the march through Kowloon on April 5th. (para. 99).

Plate 5 Demonstration march up Nathan Road. RAGGENSACK and LO Kei with a group of demonstrators.

THE DEMONSTRATION MARCH

Plate 6 Demonstration passes King Wah Restaurant, Nathan Road, Mong Kok.

THE DEMONSTRATION MARCH

Plate 7 Demonstrators sitting down at Star Ferry Concourse, Kowloon, at the end of the march. (para. 101).

THE DEMONSTRATIONS

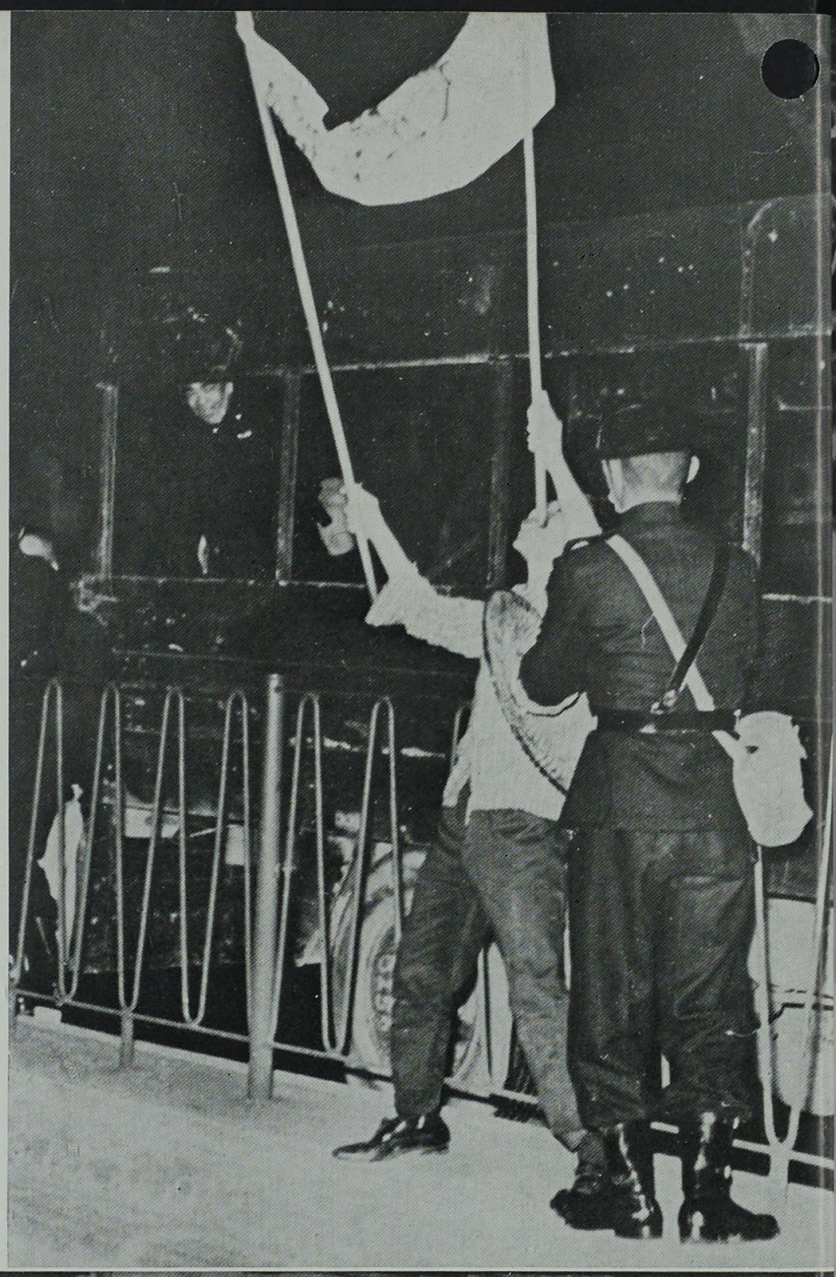
Plate 8 A demonstrator being arrested after the assault on Mr. SUTCLIFFE at about 4 a.m. on April 6th. (para. 101).

Plate 9 A group of demonstrators returning to Hong Kong Island at about 8.15 p.m. on April 6th on the Star Ferry after the incident in Jordan Road. (paras. 120 and 134).

THE DEMONSTRATIONS

Plate 10 A group of youths and children leading a procession up Nathan Road from the Star Ferry Concourse. (para. 133).

Plate 11 The arrest of HOR Wan Wah in Nathan Road at about 9.50 p.m. on April 6th. (para. 131).



THE DEMONSTRATIONS

Plate 12 Demonstrators in Nathan Road on 6th April with LO Kei. (para. 152).

Plate 13 Crowd in Nathan Road, near Waterloo Road, at about 10 p.m. on 6th April. (para. 138).

THE TRANSITION TO VIOLENCE 6/7th APRIL

Plate 14 Missiles being thrown at passing traffic on Nathan Road at approximately 10.10 p.m. (para. 138).

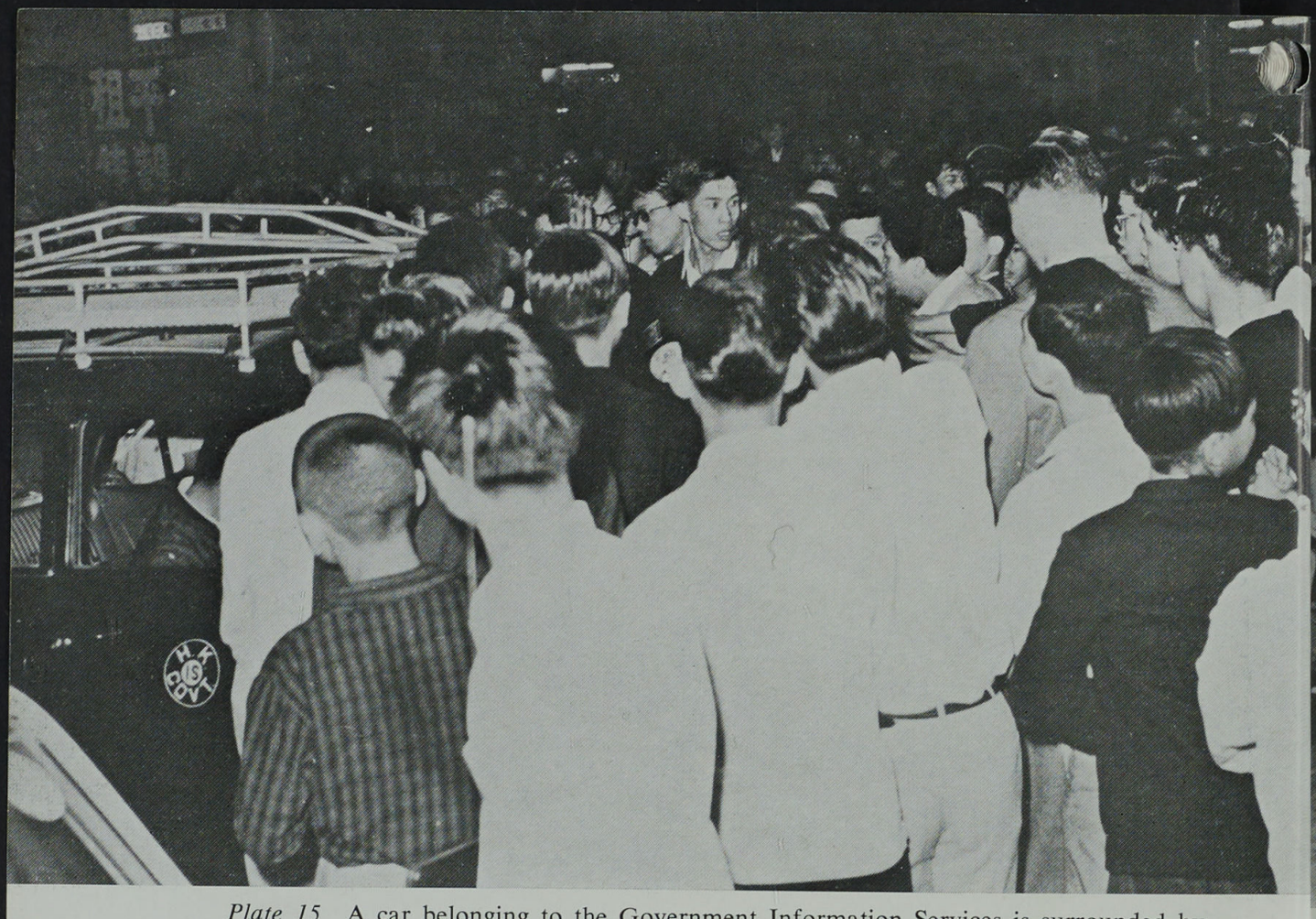


Plate 15 A car belonging to the Government Information Services is surrounded by the crowd in Nathan Road, near Waterloo Road, at about 10.20 p.m. (para. 138).

THE RIOTS APRIL 6/7th

Plate 16 Taken shortly after *Plate 15*, this photograph indicates the type of leadership which was featur of these disturbances. The attack on this car was not pressed home. (paras. 138 & 139).

Plate 17 Some youths in Public Square Street after the crowds had been dispersed from Nathan Road at about 10.40 p.m. (para. 138).

THE RIOTS APRIL 6/7th

Plate 18 Some youths throwing missiles at the police.

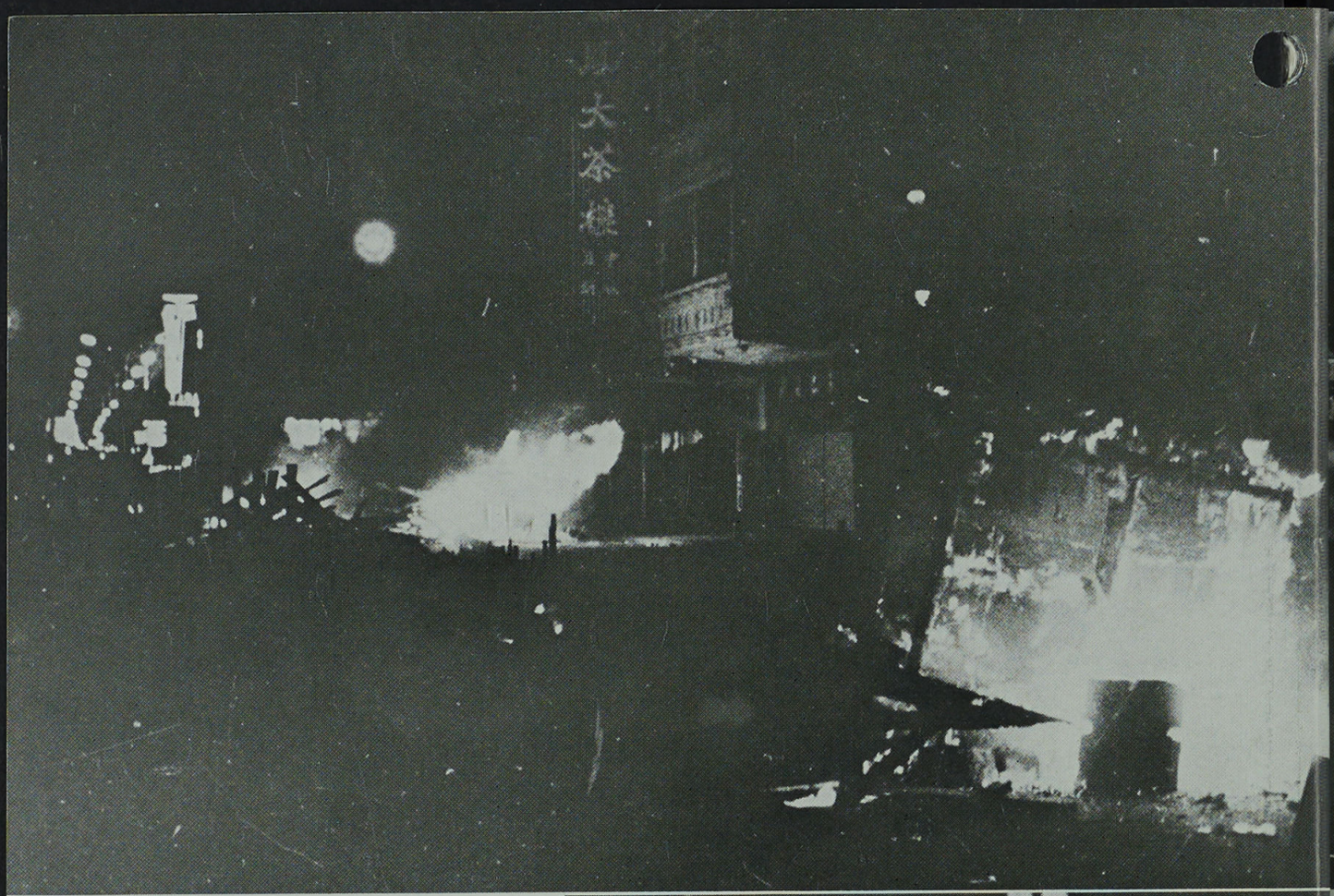


Plate 19 Fires burning in Nathan Road, Mong Kok.

THE RIOTS APRIL 6/7th

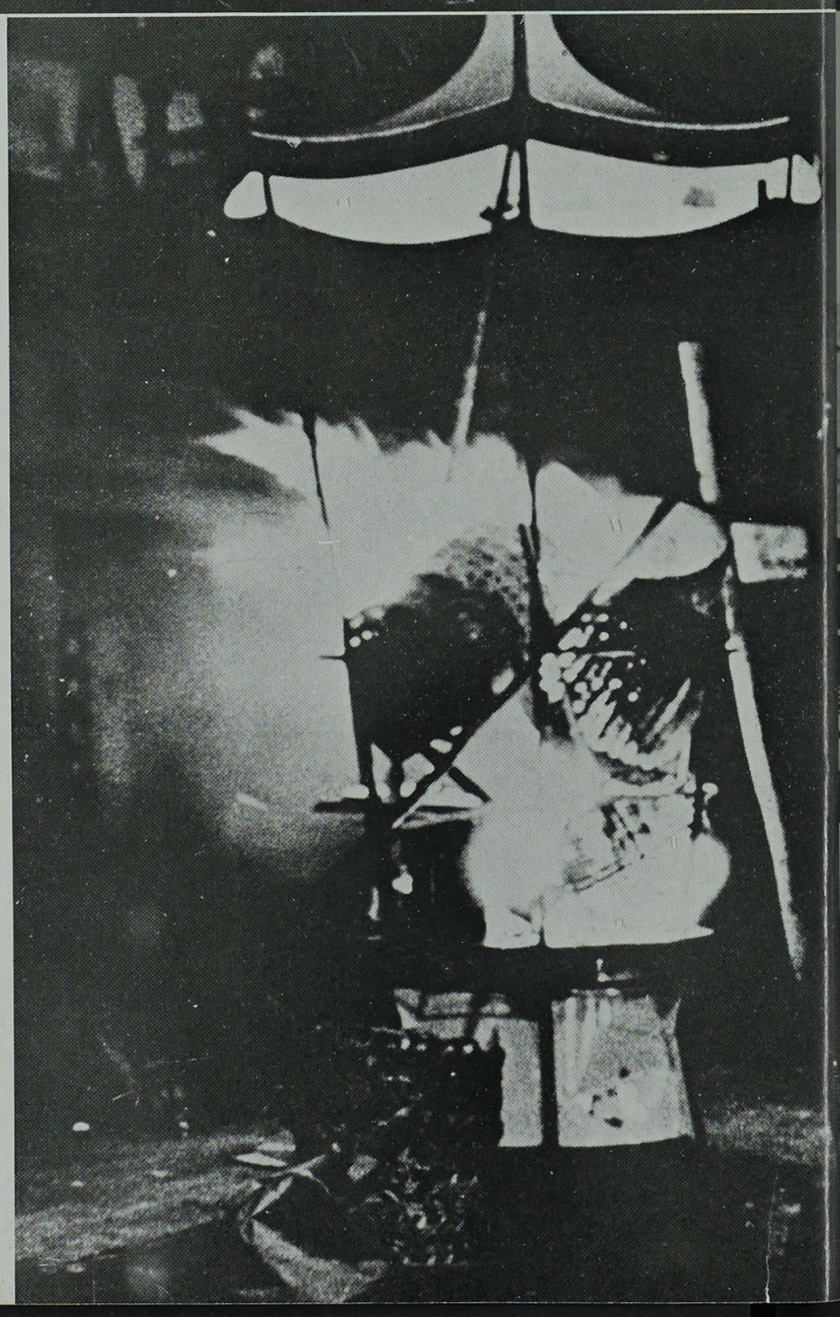


Plate 20 A burning traffic pagoda.

Plate 21 The aftermath of the looting and arson at Shui Hing Department Store in Shaw's Building, Mong Kok. (para. 164).

THE RIOTS APRIL 6/7th

Plate 22 Vehicles overturned at the junction of Argyle Street and Nathan Road. (para. 164).

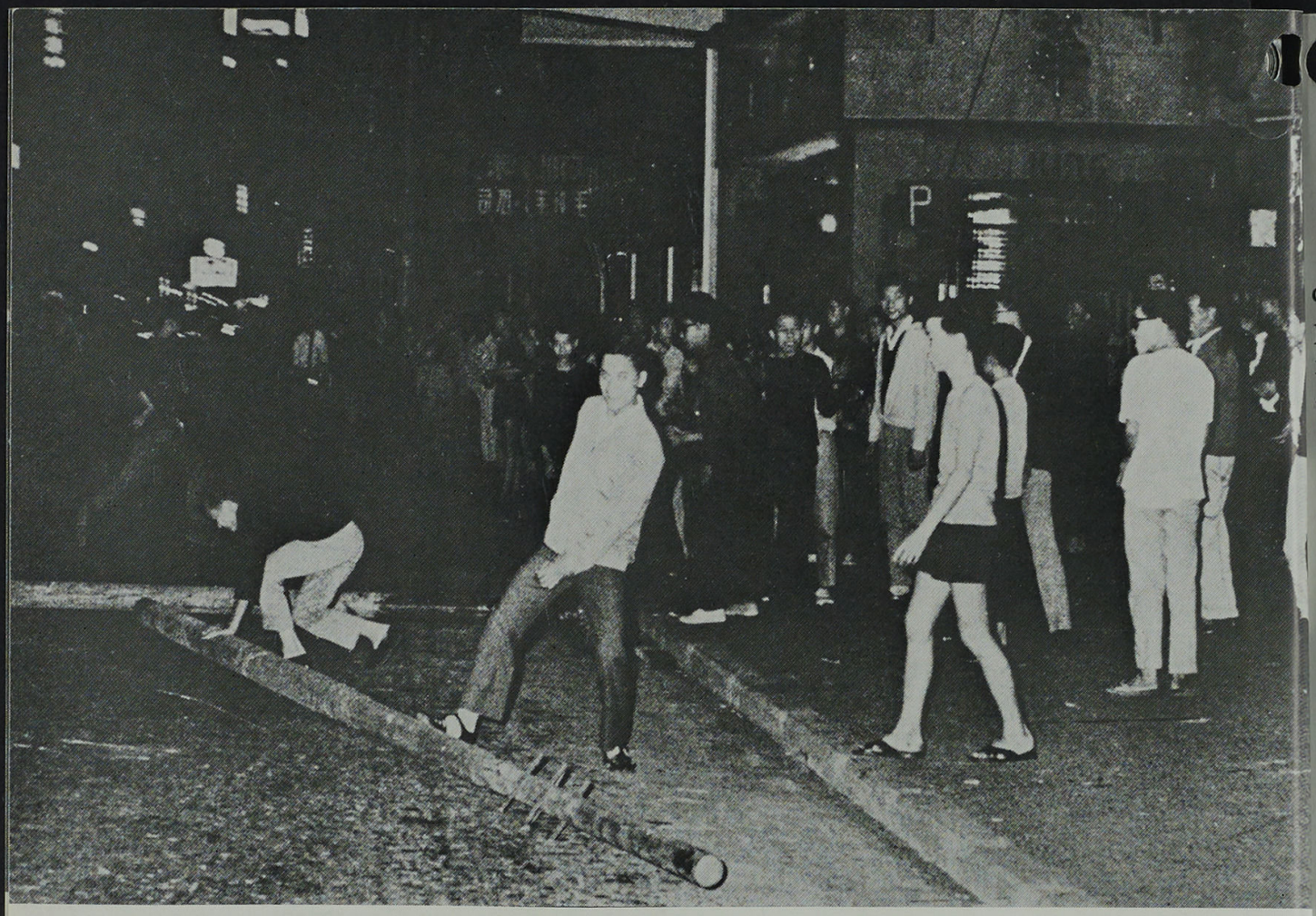


Plate 23 Obstructions being placed in Nathan Road, Mong Kok at about 10 p.m. on April 7th. (para. 188).

THE RIOTS APRIL 7/8th

Plate 24 Rioting in Nathan Road, near Shantung Street, at about 11 p.m. (para. 188).

123. Of the 17/18 persons present, 14 were under the age of 25 and their occupations were reported as students, workers and unemployed. LO Kei was not present, but his absence seems to have excited no comment from the others which, in view of the prominent part he had played in earlier events, suggests that they did not expect him to attend.

124. Accounts of what took place at the interview vary very considerably, probably because, owing to the absence of the main instigator LO Kei, no one was very sure—apparently not even Mr. BERNACCHI—what the real object of the meeting was. It would appear that after the slight initial confusion due to the seating requirements of the unexpected numbers had been overcome, Mr. BERNACCHI opened the meeting by referring to the five written statements he had been given, but he did not apparently notice that the writer of one of them was not present. First RAGGENSACK spoke for the demonstrators, giving an account of the previous night's demonstration and in it he expressed the opinion that the majority of the participants that evening had come upon the demonstration purely fortuitously and had joined in for the fun of it. After this, SO Sau Chung did a lot of talking and in a rather rambling speech, explained that his demonstration was directed not only at the ferry fares but at the Hong Kong Government, which he thought was out of date. He also referred to Singapore gaining her independence.

125. It would appear that by this time Mr. BERNACCHI had sized up the situation, for a number of witnesses stated that he then tried to turn the discussion from constitutional reform and Singapore's independence back to the matter of the Star Ferry fares and that he advised the demonstrators with regard to the law in respect of processions and demonstrations and emphasized the need for Police permission to hold demonstrations. The evidence of LEE Tak Yee and Miss LUI indicates that he advised against further demonstrations and proposed an alternative method of ventilating public feeling in a lawful manner. His proposal was that the Reform Club should sponsor a public meeting in the Government Stadium and, after some discussion, it was agreed that Police permission should be sought for a public meeting on 23rd April at which the ferry fare issue would be discussed. An application was accordingly made on 7th April. This application was refused on 9th April after rioting had broken out on two nights in Kowloon.

126. The participants in the meeting left their names and some their addresses so that they could be contacted to assist in the public meeting by distributing hand bills. The evidence given to us indicates that no mention was made of holding further street demonstrations immediately and that some of the young people—especially the fringe members—seemed satisfied with the decision to postpone further activity until the public meeting on 23rd April. Even AU YEUNG, whose evidence was generally hostile to Mr. BERNACCHI in that he denied hearing anything said about meetings without police permission being illegal or any advice

given against further demonstrations, summed up the feeling of the young people as follows: 'When we first arrived at Mr. BERNACCHI's office, we felt a little excited because, at the beginning, we did not know what would be the outcome of the meeting, but after it had been decided that a mass rally would be held in order to bring about a solution to the rioting problems, we all felt more relaxed'. Nevertheless, three of those attending the meeting were subsequently convicted for riot offences committed in Kowloon a few hours after the meeting and one other apparently admitted taking part in a riotous assembly but was not charged owing to lack of evidence.

127. *Visit to Rediffusion.* At the conclusion of the meeting with Mr. BERNACCHI and after a brief encounter with Mrs. ELLIOTT, who arrived as the meeting broke up, the group, on the suggestion of SO and RAGGENSACK, walked up Garden Road and along Kennedy Road to Wan Chai. Apparently all were in high spirits as they made their way to Rediffusion House to see television news films of the previous night's demonstrations. The films they saw and the newspaper photographs were admitted by some e.g. LEE Tak Yee, to have had an exciting effect on them others e.g. AU YEUNG and Miss LUI, said they were shocked. In any event, the group watched the 9 p.m. news films and at about 9.30 p.m. dispersed in small groups.

128. Meanwhile, LO Kei, a fuller account of whose movements is given in Part V Chapter 2, had failed to attend the meeting with Mr. BERNACCHI, in spite of the prominent part he had played in the earlier discussions outside the Urban Council Chamber and at the Reform Club; but he had not been idle. After leaving the South Kowloon Court, he had, according to his evidence, spent some time in Shanghai Street reading newspaper accounts of the demonstrations on the previous night and then had gone to Commercial Radio to record a broadcast, calling for support for the further demonstrations, which now began to develop.

CHAPTER 3. THE EVENTS OF THE NIGHT OF APRIL 6/7TH.

THE FIRST NIGHT OF RIOTING

129. *Recurrence of Demonstrations.* Although, as the Commissioner of Police has told us, the security authorities had not had a great deal more than intuition to go upon when they decided in the day to mobilize their resources lest disorders should break out in the evening, their anxiety proved to be only too well founded shortly after darkness set in. At an early stage two groups, which may indeed have had the same nucleus, were prominent, crossing from the Island to Kowloon by the Jordan Road and Shum Shui Po ferries. Other groups, apparently originating in Kowloon, were also active in the Nathan Road area.

130. *Incident in Jordan Road.* The first group, consisting of four youths with a banner protesting against the ferry increases reached Jordan Road at about 7.30

p.m. and started to process along the road in an easterly direction, where they were met by Mr. FERGUS, Superintendent of Police in charge of Yau Ma Tei. He had been warned of their coming and had a platoon of his company with him. At this time, they were followed by no more than 30 or 40 people although the crowd was growing. Mr. FERGUS asked if they had a permit, and, receiving a negative reply, said that he could not allow them to continue in procession but that they could stand at the side of the road, provided they caused no obstruction. Within a short time there was a crowd about them of over 500 people. Mr. FERGUS told the four leaders that they could not continue to cause an obstruction of this nature. He found them polite and they readily accepted an offer from him to take them in a land-rover to the Star Ferry where they could return to Hong Kong. It seems, however, that this action gave the impression to some in the surrounding crowd that they were being arrested. One man, indeed, came up and inquired if this was so. Mr. FERGUS said 'No' but went on to tell us he had reason to believe that this man nevertheless took part in subsequent developments outside Yau Ma Tei Police Station. Mr. FERGUS said that, on his way back to the Yau Ma Tei Police Station, he came up Nathan Road and found it, he thought, normal in atmosphere, but very crowded, although the crowds had not yet reached the peak associated with cinema time. He got back to Yau Ma Tei Police Station about 8.40 p.m. and five minutes later, a crowd appeared in Public Square Street moving westwards towards the Station. He estimated it to be about 300 strong and there was, he said, a lot of shouting: a sort of roar such as one would get at a football match. The crowd, consisting mainly of young boys and young men between 15 and 25 years of age, had no banners but it was menacing, with its angry roar, so Mr. FERGUS initiated the precautions known as 'attack on station' and took his company outside and ordered a baton charge on the crowd. This was effective, the crowd breaking up and scattering into side streets before the Police actually made contact with it. The area was cleared in about 17 minutes. Other evidence indicated that this crowd had formed because, after being incited to believe that the four young men had been arrested unlawfully, it had been urged to march on the station and demand their release.

131. *Incident in Nathan Road.* This was really the first incident of the evening with overtones of violence but more trouble was brewing. At 9.42 p.m. Mr. FERGUS took his whole company out on patrol, and when moving down Nathan Road, opposite Princess Theatre, he found a crowd of about 500 persons, very similar in age to the one that had appeared in Public Square Street, but they were led by a youngster in front carrying a banner (the origin of this group is described in para. 133 below). Mr. FERGUS wheeled across the road to come up beside this crowd and he said there was a good deal of jeering from it and an inevitable traffic jam occurred. He asked the banner bearer if he had a permit for the procession and the boy immediately began yelling 'They are persecuting us'. The area was very crowded at the time, as the cinema crowds were coming out,

and Mr. FERGUS, fearing a breach of the peace, arrested the young man but he noted no further development at that particular juncture. A photograph of this arrest is at Plate 11. He then moved on towards the Star Ferry, following the receipt of a report from Headquarters about a crowd gathering there, but finding none, he returned up Nathan Road. Reports, in the meantime, had been coming in of a crowd further north and, at the junction of Nathan Road and Public Square Street, he found a crowd of about 1,000 persons moving north, the same sort of composition, mainly young men and youths with a few women and older men. This appears to have been a fresh concentration of the crowd that had been following the arrested youngster, and it was this crowd or part of it which, at some stage, may have been carrying the placard 'Long live the Nationalist Government of China' found abandoned on the road near the Princess Theatre—the only suggestion throughout the whole of our proceedings of any external political motive in the disturbances. As the police came up, stones and bamboo poles were thrown. Mr. FERGUS took his men past the crowd; they then alighted and faced about; warnings to disperse were given by loud hailer and by banner but these were ignored. A baton charge was ordered but a second charge was necessary before the crowd dispersed.

132. Apart from the menace of the crowd advancing on the Yau Ma Tei Police Station at an earlier stage, this was the first incident retailed to us where the crowd attempted to assault the police, and as the period and area seem to have been critical in the transition to violence, we propose to recount events here as seen through a number of different eyes. In addition to testimony from the commanders of the police companies who were engaged in dealing with the crowds we have evidence from press photographers and reporters as well as from some demonstrators and rioters and a very useful written statement contained in a report of the Police Juvenile Liaison Officer which was made available to us.

133. *Situation in Nathan Road prior to outbreak of rioting.* The J.L.O. and his officers, who are engaged in administering what is known as the 'Liverpool' system and thus keep a particularly close contact with juveniles and young persons, were spread out before 8.00 p.m. in the area of Nathan Road between Tsim Sha Tsui and Sham Shui Po. His report tells how he observed, from a distance, a procession of youths, who had been congregating at the Star Ferry, Kowloon; shortly after 8.00 p.m. they moved off in the direction of Nathan Road. They were in a happy and playful mood, apparently enjoying the limelight and posing, without objection, for any newspaper photographer who was interested: placards and notices were being hurriedly written as the procession moved northwards up Nathan Road. Very few of those involved were over the age of 21 and the youngest were in the region of nine or ten years old. A photograph of some of this group is at Plate 10. Pedestrians of all types and ages were seen to shout encouragement. The procession gradually increased in numbers and then split into several smaller processions which doubled back on the route several times. There

were ringleaders and cheer leaders but no other signs of organization. At about 9.15 p.m. when several processions had joined together and were moving north up Nathan Road, they were joined by youths leaving the Princess Theatre after the 7.30 p.m. show, and the whole west side of Nathan Road became blocked. The J.L.O. saw a police riot company, which must have been the Yau Ma Tei company, approach from the north and move into the crowd, arresting at least one youngster who had been carrying placards and acting in a disorderly way. The procession dispersed and the police company left the area, but a large crowd stood around watching and when the police left, the cheer leaders and placard-bearing youths reformed their procession and headed north. Near Public Square Street the J.L.O. saw the Yaumati company again appear and disperse the crowd after stone-throwing by youths. But, he said, at this time the crowd was in a happy and playful frame of mind, laughing and joking and the police were jeered and stoned all 'in good fun'. No organization was observed; when one boy throw a stone, several others joined in for the 'sport'. The large crowd on Public Square Street then split into two main processions, one heading north, and the other south. They did not appear, he said, to have any particular purpose at that juncture other than to shout slogans and to attract attention. The one heading south was kept under observation by the J.L.O., who states that he saw a Government Information Services Officer handing out leaflets about the Star Ferry increase, in which members of the procession appeared to take an interest and, as a result, split up. The procession which had moved north seems, however, to have played its part in creating a more menacing situation in Nathan Road, north of Public Square Street, where the Yau Ma Tei company had been in contact with it.

134. *Incident at Sham Shui Po ferry.* Before returning to that area, however, we will follow the second group of young men who had crossed from Hong Kong to demonstrate in Kowloon as mentioned in paragraph 129, in so far as we have been able to trace them. This was made possible mainly through the evidence of a newspaper reporter who said he first came in contact with these young men about 8.15 p.m. at the Kowloon Star Ferry concourse where they were carrying banners opposing the ferry fare increase. He said a police superintendent told them it was illegal to stage a demonstration in Kowloon and advised them to return to the Island. This advice they apparently accepted and subsequently returned to the Hong Kong side. The reporter speaks of eight young men at this time but these may well have included the four who were demonstrating a little earlier at Jordan Road and had been brought to the Star Ferry in the police land-rover. A photograph of them on the return journey to the island appears at Plate 9. As already recounted in paragraph 120, the reporter learned from them that earlier in the evening they had raised their banners near the Sing Pao Building in North Point, whence they walked to Wanchai and along Hennessy Road to the Star Ferry Pier, intending to hold a demonstration but, having been told they could not, crossed to Kowloon. The reporter followed them on their return to Hong

Kong and said that they stood for a while in the car park near the Government Publications bookstall at the Star Ferry, then lined up and marched along the waterfront, then via Wyndham Street to Upper Albert Road returning by Pottinger Street to Des Voeux Central, along the tram tracks and to the waterfront near the Sham Shui Po Ferry. There, they crossed again to Kowloon, where they were met by police who told them they could stage no demonstration. The youths replied that they merely intended to go home, so they were allowed to go through singly and in twos, but they joined up again at the junction of Peiho Street and Cheung Sha Wan Road and then turned down Lai Chi Kok Road to Nathan Road.

135. Mr. McNUTT, the Divisional Superintendent Sham Shui Po, told us how he had proceeded to the Sham Shui Po Ferry with one of his platoons on instructions from Headquarters and met a group of youths disembarking from the ferry shortly after 9 p.m. He spoke to a youth in a singlet with characters written on it opposing the ferry fare increase and was told that he lived on Hong Kong side and had come over to Kowloon to demonstrate. Mr. McNUTT advised him to return to Hong Kong and he agreed to do so returning to the ferry pier, accompanied by five or six youths.

136. This conversation quickly attracted the attention of about 100 by-standers, amongst whom Mr. McNUTT noticed two youths carrying furled banners. On inquiry, they said that they had been demonstrating in Hong Kong and were now returning to their homes in Kowloon. After being warned not to hold demonstrations and being allowed to proceed, they walked up Peiho Street towards Lai Chi Kok Road, followed by some of the crowd and were lost to view.

137. The newspaper reporter followed them and told us that as they went along, they were joined by other young people. They were not apparently carrying banners at this time, but had slogans written on their singlets. They were very reticent about what had brought them together and would give no information on this to the reporter. They moved south along Nathan Road, now about 300 strong, and near the Bank of the Netherlands, close to the junction of Gascoigne Road, they met another large group coming up from the south. The confluence of these groups seems to have given rise to much excitment. The reporter speaks of a lot of noise, yelling and so on. He speaks of police being there, having apparently just arrived as he saw them getting out of their trucks. But, before taking up the narrative from their point of view, let us look at the scene in this area as seen by a press photographer and another reporter.

138. *Situation in Nathan Road, Yau Ma Tei between 10 and 11 p.m.* We had some very cogent evidence from a press photographer, who said that there was no hostility from the crowd towards photographers when he took photographs at about ten o'clock, although hostility developed later. He took the photographs shown as Plates 13, 14, 15 and 17 and also identified for us Plate 16, although that was taken by another photographer. Of these photographs, the first three were taken in Nathan Road, just south of Waterloo Road, near the Astor cinema

and the fourth (Plate 17) in the side street off Nathan Road by the Yau Ma Tei Government School. In time, he placed the first of the three photographs (Plate 13) at about 10 o'clock; Plate 14 at about 10.10 p.m.; Plate 15 at about 10.20 p.m. and Plate 17 at about 10.40 p.m.; though we are inclined to think the intervals may have been somewhat shorter. He said the first of these pictures was taken before the arrival of the police; the second was taken before the arrival of the police on foot, although there were police vans passing by, which did not stop as they were being stoned, but the last was taken after the crowd had been dispersed into the side streets by the police. He was emphatic that before taking the first picture, the crowd had been stoning cars and buses but had stopped momentarily, as there were no cars at that moment to chase. He said sticks and stones were thrown at the bus in Plate 14 and several of its windows were smashed. He said some of the crowd were advising people not to throw stones but others were encouraging the stoning. He confirmed that the debris at the bottom of the picture was shattered glass. As for the car shown in Plate 16 which, under a magnifying glass, appears also to be just discernible in Plate 13, he said, he heard people shouting that a Government car was coming—some were suggesting overturning the car, others suggested wrecking it but some press reporters around informed the crowd that the vehicle in fact belonged to 'the newspapers circle', the crowd hestitated and the driver, seeing an opportunity, made off.

139. This brings us back to the reporter who had accompanied the group of demonstrators that came down from Sham Shui Po. He told us that shortly after this group arrived, he saw the same incident; the car being surrounded and somebody saying, 'this car with an 8 number is a Government car. Let's burn it or wreck it'. He said the youth shown in Plate 16 was urging the crowd to burn the car, but he told the crowd that the car was for newspapers only. When Mr. WILLIS, the Acting Deputy Director of Information Services, in the car, tried to get out, someone in the crowd sought to interfere with him, but this reporter again intervened, and the driver was able to restart his car and get away.

140. This same reporter told us of a photographer, who had taken a flashlight picture somewhat later, about 11 p.m., being surrounded by a crowd of 300 or so, demanding that he hand over his film. When they were told that he was a reporter for a certain newspaper, they desisted, saying the paper could speak for them to the Government. This temporary hostility was in contrast to the attitude shown earlier in the evening towards reporters and photographers, when those concerned seemed very anxious to get as much publicity as they could.

141. It seems that turmoil was now getting fairly general in the area with rioters throwing stones at the police and at vehicles and smashing buses with bamboo poles; flower pots and other missiles were coming from the higher buildings. But before returning to the police account of these events, let us take up one more report from a journalist.

142. Another reporter spoke of crossing to Kowloon by the Star Ferry at about 9.45 to 10.00 p.m. and learning from a police inspector in Kowloon that there had been some serious trouble at the junction of Nathan Road and Waterloo Road, where the police had been stoned. He took a taxi but the driver refused to go more than a little distance past Jordan Road, so he alighted there and walked towards Gascoigne Road, where he found a very large crowd, some thousands strong. He described it as a very noisy crowd, making a very ugly sound. Some members of the crowd were standing still, and others were slowly moving up and down the street; they were fairly representative of the community age groups. Again, although they were mainly on the pavements, some were scattered over the street itself. He saw about 100 policemen in riot squad formation. There was he said, some distance between the crowd and the police and there was an air of 'anticipation' about. The police then moved towards the crowd, first of all up Gascoigne Road, across the triangle of open space at the junction of Gascoigne Road and Nathan Road. Tear smoke was fired, but the wind was unfavourable and tended to blow it back towards the police. Prior to the firing, missiles had been coming in the direction of the police particularly, he said, from the upper storeys of tall buildings. After the tear smoke was fired, the crowd started to throw more bricks and bottles. Asked to indicate what started the missile throwing, he said he thought it began when a crowd of about 300 to 500 people arrived at the Astor Theatre about 10.30 p.m. It had marched up Nathan Road carrying banners and 'small street signs'. Some were shouting and shaking their fists at the police and this seemed definitely to raise the temperature. Earlier on when going up Nathan Road in the taxi, he had passed two small groups of about 10 to 15 young people, fairly orderly and carrying banners at the time. He got the impression that those two groups, which he had passed near the President Hotel and Whitfield Barracks respectively, had amalgamated and swollen to the size of the crowd that arrived at the Astor Theatre at about 10.30 p.m. When he had first seen the two groups, they were behaving in an orderly fashion, but the crowd that arrived at the Astor cinema was behaving very differently. Prior to that, there had been the occasional brick coming from construction sites and bottles from apartments but nothing concentrated. Anticipating a little, he told us how, eventually, the police dispersed this crowd with tear smoke after a number of attempts and moved south pushing the crowd back. He said that when they did so, the crowd dispersed into the side streets and, as the police were unable to follow them, the groups would form up again in the lanes and alleys and come out somewhere else on Nathan Road. There was very little direct physical contact between the crowds and the police.

143. From all this it seems tolerably clear that after the contact with the Yau Ma Tei company at Public Square Street, when the crowd stoned the police and two baton charges were made, stone throwing and the smashing of buses etc.

developed further north near Waterloo Road and Gascoigne Road before the police appeared there in any numbers apart from the isolated passing police car.

144. *Police action to suppress disturbances—South of Waterloo Road.* Measures to meet this situation were initiated at Kowloon Police Headquarters shortly after 10 p.m. Mr. ROSE, Chief Superintendent of Police, second-in-command of the Kowloon District and the Field Commander of the District Emergency Force at the time of its formation, told us that, about 10.15 p.m. Mr. SUTCLIFFE, having received reports about the Yau Ma Tei company being stoned in Public Square Street, instructed Mr. ROSE to take his command vehicle together with two inspectors, a staff-sergeant and a corporal to investigate. Having left Kowloon Police Headquarters at the junction of Nathan Road and Prince Edward Road, Mr. ROSE moved southwards along Nathan Road and found the traffic impeded, though not stationary: moving very slowly in both directions. After crossing the Nathan Road/Waterloo Road junction he saw 'pockets of crowds' on the western side of Nathan Road; he put them at about 800 to 1,000 strong and as the vehicle crossed the lights at Waterloo Road, it was pelted with stones and its windows were broken but, with difficulty, it reached Public Square Street. Other reports show that a police mobile patrol car was also under attack in this area at the time and Mr. ROSE saw buses being stoned. He turned his vehicle at the junction with Public Square Street, and reported back to Headquarters, asking for traffic diversions to be made and requesting that two of the emergency companies be sent to him so as to take action against the crowds.

145. As a result, Headquarter and Yau Ma Tei companies were ordered to go to his assistance and the Police Training Contingent company was directed to approach Nathan Road via Gascoigne Road, so that three companies began converging on this area. At a later stage the Marine and the Kowloon City companies were brought in from Tsim Sha Tsui via Conton Road and Public Square Street. Meanwhile, moving north, Mr. ROSE came to Man Ming Lane where crowds were throwing stones at buses and he was again stoned between Man Ming Lane and Wing Sing Lane, stoning which not only smashed all the remaining windows in his vehicle but also destroyed the public address system on the roof. He was expecting the Headquarter company to approach from the north at this time and, seeing two police vehicles and a land-rover coming over Waterloo Road, he stopped them, de-bussed their occupants, who came from No. 3 Platoon of Headquarter company, formed them up and directed them to fire tear smoke to disperse the crowds, which were mainly teenagers round the ages of 18 to 20, but very hostile, according to Mr. ROSE, shouting and cursing. The tear smoke had the effect of dispersing the crowds and part of the platoon moved north so as to take over the junction of Nathan Road and Waterloo Road but, for this purpose, it was necessary not only to use tear smoke but also to put in a baton charge. The crowd melted away before the charge but tended to re-form as soon as the police had passed. The position now was that he had part of the platoon holding the junction

of Wing Sing Lane and Nathan Road and the other part the Waterloo Road junction. By getting hold of one or two drivers, who were standing on the pavement near their buses, he was able to get some of the buses which had been abandoned to move out of the area along Waterloo Road.

146. Meanwhile, Mr. DUNNING, who had been the first to arrive with his Headquarter company in response to Mr. ROSE's earlier request for assistance, had been having a difficult time. At about 10.30 p.m. he moved out from the Kowloon Headquarters in his command vehicle, followed by platoons Nos. 1, 2 and 3 in lorries. He found the south-bound traffic in Nathan Road stationary by now and he had to weave around it to move south. As he moved past Waterloo Road, the vehicles were stoned and when he got near to the junction of Nathan and Gascoigne Roads, his vehicle was moving so slowly and the crowd was so dense that they were able to break windows in the vehicles with stones held in their hands. Nathan Road, at this point, was virtually blocked solid by a mob, stationary buses and a few cars. He debussed his company which, at this time, consisted only of Nos. 1 and 2 platoons, as No. 3 platoon had been stopped further north by Mr. ROSE. As the other platoons alighted, they were bombarded by bricks, stones and rubbish and as there was not sufficient room to form up, Mr. DUNNING directed officers individually to fire tear smoke so as to make the crowd withdraw, which they eventually did, thus enabling him to draw up his two platoons, facing in opposite directions north and south. He spent the next twenty minutes clearing the area of Public Square Street, Gascoigne Road and Nathan Road by the use of tear smoke. Although the members of the crowd continued throwing stones from side streets, he was able to get some of the stationary traffic to turn and go along Gascoigne Road but met with difficulties because a number of the buses had been abandoned by their drivers.

147. Meanwhile the Yau Ma Tei company which had returned to its station after dispersing the crowd near the Public Square Street/Nathan Road junction now came back into the picture, having been ordered at 10.43 p.m. to return to Nathan Road to assist Headquarter company. It moved out to the junction of Nathan Road and Public Square Street taking over the junction and then moved north behind the platoon of the Headquarter company, taking over road junctions as it went and spreading up as far as Argyle Street. When Mr. SHAVE with the Police Training Contingent company arrived at the junction of Gascoigne and Nathan Roads just before 11 p.m., the action of the Headquarter and Yau Ma Tei companies in Nathan Road had had some effect and Nathan Road itself was reasonably clear, although there were crowds to the south of the Gascoigne Road junction and stones were coming from the side streets on the west of Nathan Road.

148. Mr. SHAVE said he found men from Headquarter company blocking side streets on the western side of Nathan Road and he deployed the first platoon of his own company into Wing Sing Lane on the western side of Nathan Road, where

they quickly came under attack with stones from the crowd in the street and from roofs and buildings on both sides. A baton charge was necessary; thereupon the street crowds quickly withdrew into buildings, playing virtually a game of hide and seek with the platoon. No. 2 platoon was deployed on the eastern section of Nathan Road, No. 3 was sent southwards along Nathan Road to the junction of Gascoigne Road, where they were faced by a crowd which Mr. SHAVE described as being something between sullen and angry, a crowd which gradually became noisier and more violent. He had some anxieties as to the ability of a single platoon to deal with it and told his second platoon to go south and support the third. By this time, members of the crowd were throwing stones at buses, which were still jamming the northbound carriageway. They had, at first, ignored the presence of the third platoon but as the second platoon approached, the police came under heavy stoning. Warnings to disperse were given and ignored and tear smoke was used, but the crowd quickly re-formed and returned to their original positions. This situation continued for about 45 minutes, when the area gradually became quieter. Mr. SHAVE then made contact with Mr. ROSE to the north and it was agreed that his company should remain in the Gascoigne Road area to provide a firm base while other companies went north and south along Nathan Road. On his way back to the Gascoigne Road junction after his meeting with Mr. ROSE, Mr. SHAVE found that the police vehicles of his own and other companies parked near Man Ming Lane were being heavily attacked with stones from the side streets off Nathan Road. A European officer had been injured in the face whilst he and another officer and two constables were protecting the vehicles by firing baton shells down Man Ming Lane to keep the crowd at bay. Apart from this, the area round the junction was quieter although there were groups of people in various doorways on both sides of the street and larger groups of about 20 or 30 coming out of various side streets; turning back when faced by the police.

149. So far we have been looking at the picture south of the junction between Waterloo Road and Nathan Road although the trouble had been spreading slowly northwards. Mr. ROSE had, at about 11.15 p.m., instructed the Sham Shui Po company to move south to the Waterloo Road junction but they ran into difficulties. Before dealing with these, however, it is probably easier to keep the general picture in mind if we complete our survey of what happened south of Waterloo Road where, in addition to the Headquarters, the Yau Ma Tei and the Police Training Contingent companies, the Marine company and the Kowloon City company were also coming into the picture. The former, which was standing by at Marine Police Headquarters, had been called out at about 11 p.m. and directed to go to the Yau Ma Tei Police Station, which they reached about 11.15 p.m. They were then told to go to the junction of Nathan Road and Waterloo Road. Mr. RINGER proceeded along Public Square Street and at its junction with Reclamation Street found a large crowd of several hundred persons but it was, he said, a happy sort of crowd, reasonably good humoured with no banners. When asked to disperse,

some moved away although a number still remained, but this caused him no particular anxiety and he moved on with the Marine company to the junction of Nathan Road and Waterloo Road to report to Mr. ROSE.

150. Meanwhile at 11.30 p.m. the Kowloon City Company had been ordered to move from Kowloon City Police Station to deal with a reported crowd at Tsim Sha Tsui but found no one there other than ordinary citizens going about their business, although the area was somewhat congested because buses were not leaving for the Nathan Road area. Then, receiving radio instructions to go to the assistance of the other companies Mr. TODD moved his company up Canton Road to Public Square Street near the Yau Ma Tei Police Station where he found crowds milling about in the roads, the majority of them 25 years or younger. When they saw this unit arriving, they split up into small groups and started to disperse northwards up Temple Street. He followed them up Temple Street and at the junction of Man Ming Lane the crowd started to throw stones, bottles, pieces of wood, contractor's lamps, and anything they could get their hands on at the police vehicles. The company alighted and started to engage these crowds. Tear smoke was fired and the crowd retreated westwards towards Shanghai Street and Canton Road as well as northwards. Mr. TODD then took his company out into Nathan Road arriving there shortly after midnight when he saw a large crowd south of Gascoigne Road and missiles being thrown at another police unit already there.

151. Approaching midnight, the position in the area of Nathan Road between Waterloo Road and Gascoigne Road presented many aspects of a general mêlée, although tear smoke and baton charges had to a great extent dispersed the rioters off Nathan Road mainly into the side streets on the west side, where they gathered into smaller groups and continued to throw missiles at the police. There were reports of trouble to the north and the south and many street fires burning but the police formations were intact, firmly under the control of their commanders and confident in their capacity to deal with any opposition that did not disperse and melt away in front of them. Mr. ROSE had immediately available in the Public Square Street/Gascoigne Road/Nathan Road area the Headquarter company, the Police Training Contingent company, the Yau Ma Tei company as well as the two companies which had come up from the south, the Marine company and the Kowloon City company, whilst two platoons of the Sham Shui Po company were also coming down from the north by a route west of Nathan Road which was itself blocked. The Police Training Contingent company was held in the Gascoigne Road junction area, whilst the Headquarter company was directed to sweep down Nathan Road to the south. The Yau Ma Tei company was also held in the area between Waterloo Road and Tak Cheong Street. When the Kowloon City company reached Nathan Road, it was directed also to move south but by a different route and to come out onto Nathan Road by Austin Road and then to move northward, the idea being to provide a pincer movement with the Headquarter company

which was directed to move south down Nathan Road. On arrival, the Marine company was directed to move north to deal with disorders which were developing in that area.

152. Mr. DUNNING took steps to disengage his two platoons from their task at the western side of the Nathan Road/Gascoigne Road junction and, re-joined by the third platoon, the company made a sweep southward along Nathan Road, which they were able to clear of crowds although these slipped into side streets and continued to throw stones and, on occasions, followed the company as it moved south. It was probably this company that was also followed by the reporter mentioned in para. 153. By this time, much damage had been done to traffic lights and traffic signs and there was a great deal of debris all over the road. There was a number of stationary vehicles north of Jordan Road though Nathan Road itself was now reasonably clear at the junction. The company pushed on south towards the junction of Austin Road with crowds tending to build up in front of it; pushing over traffic pagodas and piling up temporary bus railings, road repair boards, diversion signs etc. across the road to form obstructions. Banners were seen but at too great a distance to decipher the characters on them. The crowds kept retreating southwards ahead of the company but, breaking off, for a moment, from the movements of the police, we have had in the J.L.O.'s statement an account of how this area appeared from the other side. In his written statement, he tells us how at about 11.15 p.m. he moved north again behind a large procession from the Tsim Sha Tsui area. This appears to have been the crowd of which a part is shown in Plate 12. He said that he saw LO Kei, standing on a private car, addressing this crowd. Shortly afterwards, there was general rioting in the area; parking meters, 'keep left' signs and other traffic signs were being smashed. Evidence of this was also given in Court proceedings against LO Kei. He saw a 14 year old boy in front of him deliberately and in an apparent frenzy smash two parking meters and a 'keep left' sign. The boy appeared to be very wild and angry. He was arrested and was immediately very sorry for what he had done and in tears requested to be released. In fact he appeared to have some difficulty in remembering what he had done and the J.L.O. formed the impression that his behaviour was like that of a man who had recently thrown a fit. Other officers of the J.L.O. had arrested a 21 year old boy, for damaging motor-cycles parked outside the Miramar Hotel and attempting to set them alight. Some of the crowd moved towards the police officers shouting for the release of these prisoners. The police officers withdrew to the Miramar Coffee House where the grill doors prevented the crowd from attacking them. When the crowd realized this, they quickly returned to Nathan Road to continue their general destruction of anything at hand in the streets, but they appeared to find humour in this; laughing and joking as they smashed the signs. About 15 minutes later, a riot company—almost certainly Mr. DUNNING's Headquarter Company—approached from the north. The crowd jeered and threw stones and then dispersed into the side streets

still, according to the J.L.O., in a good humour but a little later he met a small stone-throwing crowd of youths outside the President Hotel, who appeared to be in an angry mood. One of the youngsters cried 'Juvenile Liaison Officer—strike the car' and some stones were thrown.

153. We have had a somewhat similar picture from a newspaper reporter, who, having observed what had occurred north of Jordan Road, followed a police company down Nathan Road towards Tsim Sha Tsui. When it stopped at Austin Road he went ahead and near Haiphong Road at about 11 o'clock he saw a group of young people smashing traffic signs and parking meters. He said there were a lot of people watching but only about ten actively engaged in breaking things. He saw a crowd outside Mirador Mansion surrounding an American and threatening him; members of the crowds saying, 'Ah, that is a European. Let us beat him up', but the American was very calm and kept smiling saying, 'I am on your side' and finally the crowd left him alone. The reporter said that on the whole the crowd in this area appeared somewhat different from the crowd who were destroying traffic signs in Yau Ma Tei. They appeared to him to be somewhat better or more carefully dressed. As the police came on down the road, the crowd dispersed into the side streets, but he speaks then of a shower of bottles and other missiles coming down from roofs and higher floors.

154. As already mentioned, Headquarter company continued southwards, putting out fires and clearing the debris. They found a great deal of damage had been done to parking meters etc. in the Kimberley Road area. Road signs had been pulled down and set alight with kerosene, apparently taken from road work lanterns. Rubbish bins were scattered across the road and attempts had been made to set cars and motor cycles alight. When they arrived near the Chung King Mansions, a very large number of missiles and litter and bottles came down from the high buildings. Ahead of them a Fire Services tender, which was engaged in putting out a burning traffic pagoda, was attacked, but the attackers quickly dispersed when the police arrived. Apart from a move northwards to deal with rioting and reported looting at 229 Nathan Road—which turned out to be unnecessary as the Kowloon City company was in the area—they remained in the Tsim Sha Tsui area which was, by now, generally quiet, although occasional missiles were still coming down from the high buildings and the company was occupied until relieved by a company from Hong Kong Island in enforcing the curfew which had come into force at 1.30 a.m.

155. Meanwhile, the Kowloon City company had been moving south to carry out the pincer movement described in para. 151. When this company formed up at the Austin Road junction they found the road littered with rubbish, wooden boxes and bus signs; traffic lights were damaged and many stationary buses were stranded with flat tyres. The crowd in the area, however, quickly dispersed on the arrival of the police, but as these continued north, missiles including flower

pots, pieces of wood, cement and rubbish were dropped on them from the buildings between Austin Road and Jordan Road; although the crowds ahead of them dispersed very quickly into the side streets. The company completed its northern sweep and was then sent southwards to the Tsim Sha Tsui area, again having to clear the road of debris, as they moved. They went as far as Peking Road, meeting Headquarter company at Haiphong Road, then turned north again. The main focus of trouble was now tending to shift north of Waterloo Road but before turning to that area it is necessary to mention one more operation to the south.

156. At about 1.50 a.m. on the morning of the 7th, Mr. ROSE returned the command of the Yau Ma Tei company to Mr. FERGUS with instructions to carry out a sweep of the area between Jordan Road and Austin Road. For this purpose No. 2 platoon of the company arrived at the junction of Nathan and Jordan Roads and found rioters setting fire to a vehicle and throwing stones. Tear smoke was fired; in addition it was found necessary, on the orders of the platoon commander to fire six rounds of revolver and one of sterling gun ammunition before the crowd dispersed. No casualties were, however, seen. A few minutes later, the remaining two platoons and the company commander arrived in the area, the intention being to move one platoon down Nathan Road and the others down the roads to the west of it, in order to concentrate again further south on Nathan Road. However, as the platoons were alighting in Jordan Road near Pilkem Street, a barrage of flower pots and rubbish from a building, named 'Lucky Mansion' descended on them from a 12th storey stairway window. At 1.30 a.m. orders had been issued from Colony Police Operations room directing the use of all force, including firearms if lawful and justified, to suppress disorder. On Mr. FERGUS' instruction four shots were fired at this window. As far as is known, no one was hit but the barrage of rubbish and flower pots stopped.

157. The imposition of the curfew at 1.30 a.m. had also been announced, but there were, Mr. FERGUS said, still many people about and these were told over the company's loud hailers and, on occasions, in direct conversation that they should go home.

158. As the company moved further south and came near Mirador Mansion, missiles again began to descend from this multi-storey building and, at one stage, a bottle came through the roof of one of the trucks. In this area, at this time, the police found it necessary to fire shots on a number of occasions at individuals throwing missiles including litter bins from roofs and stairways of high buildings as they had no other means of prevention available to them. Details of these shots are shown in Annex 10. So far as is known, no casualties were caused but we were told that the shots were effective in causing at any rate a temporary cessation in the missile throwing. Once this had been stopped, there was little further trouble in the area, which the platoons continued to patrol. Mr. FERGUS, returning to the Yau Ma Tei Police Station, found a crowd of about 50 collecting outside, but they

dispersed when he appeared in his land-rover. He then proceeded to investigate a reported fire at the Yau Ma Tei Post Office, where he found a fire was still burning by a side door but little damage had been done. Prior to this, he had seen, particularly in the vicinity of the Canton Road market, many fires, lit apparently with rubbish and timber from the hawker stalls etc. and from road works in the area.

159. Giving his description of the crowds over the evening, Mr. FERGUS said that, at the beginning there were quite a few people older than 25 and some women but as the evening wore on these disappeared and at the later stages there were very few over 30. As for the dress and appearance of people generally, Mr. FERGUS said that they were much the same on the evening of the 6/7th as they had been during the demonstration marching up and down Nathan Road on the previous evening, the main difference being that the older people virtually disappeared in the later stages of the night of the 6/7th. Asked whether the crowd generally appeared to be angry or enjoying themselves Mr. FERGUS said:

> 'We had a lot of jeering, particularly from a distance where we couldn't touch people and so forth, and quite a lot of obscene remarks and so on passed—if they were enjoying themselves, they were enjoying themselves by smashing things up, that's all I can say'.

His attention having been drawn to photographs showing youths with smiles and grins on their faces, he said:

> 'Yes, I have seen the same photographs—may be the same sort of fun which makes it great fun at home to go and break windows, jolly good fun to throw a stone and hear something smash, I don't know, they may well have been enjoying themselves, but certainly not innocent enjoyment'.

160. *Police Action to quell disturbances—North of Waterloo Road.* Meanwhile, trouble to the north of Waterloo Road had developed somewhat more slowly than to the south. Mr. MCNUTT commanding the Sham Shui Po company told us how, after the incident in Peiho Street described in para. 135, and on receipt of instructions from Headquarters, he proceeded with his company southwards towards the junction of Waterloo Road and Nathan Road at about 11.15 p.m. Two platoons moved down Nathan Road and one platoon down Shanghai Street, but at the junction of Nathan Road and Argyle Street, further passage became impossible because of blocked vehicles. The two platoons therefore turned left into Argyle Street as far as Yim Po Fong Street and then along Yim Po Fong Street, into Waterloo Road, and down Waterloo Road to the junction of Nathan Road where the Yau Ma Tei company was already in position. He arrived there at about midnight and the noise indicated that there was a large crowd in the vicinity but Mr. MCNUTT did not at first see many people as it had recently been dispersed.

161. Meanwhile at 11.53 p.m. Emergency Unit Car No. 8, on patrol to the north, reported that it was under attack at the junction of Soy Street and Nathan Road. The vehicle was manned by an N.C.O. and three constables. It became trapped in a traffic jam between buses and road works and at 11.50 p.m. a noisy and hostile crowd of some 400 rioters approached from the south and when they saw the car they shouted, 'Burn the car and stone them'. Immediately the crowd started to throw stones, breaking the driver's window and setting fire to some wooden barriers ripped from adjacent roadworks. Orders to desist were ignored. The N.C.O. positioned his men round the vehicle to defend it and ordered them to fire if they were in any danger. About a dozen rioters followed by numerous hangers-on rushed the car shouting, 'Burn them. The police dare not shoot us. Burn the vehicle'. A warning from the N.C.O. not to come closer was ignored and he fired one shot at the knees of the ringleaders. They stopped about 40 or 50 feet away and then came on with stones and poles. The N.C.O. fired two shots and the radio officer fired one shot at the knees of the ringleaders. The crowd now withdrew although they continued to throw stones. In all five rounds of revolver ammunition had been fired. No casualties were observed at the time, but subsequently it appeared that one youth had been hit in the leg. The car had asked, by radio, for assistance and Mr. SUTCLIFFE had ordered the Sham Shui Po company to the scene shortly after midnight. It proceeded by Waterloo Road, Yim Po Fong Street and Shantung Street and reported back that progress was impeded by extensive road blocks in Nathan Road near Shantung Street and traffic jams.

162. But the Marine company was in the vicinity, having been instructed by Mr. ROSE, when it reached the Waterloo Road junction to continue northward in the direction of Mong Kok. Following these instructions, Mr. RINGER moved north up Nathan Road. There was, he said, a great deal of noise at the time and crowds —mainly young people between 15 and 25 years of age—throwing bottles and bricks, from the side streets, piling up rubbish and making fires as well as building barriers by using planks, bus signs, road signs and big cable drums. Tear smoke was used at some of the intersections but, whilst this would disperse the crowds for a time, they quickly reformed. Stones and planks were coming down from the high buildings. At 11.45 p.m. he had Nos. 1 and 3 platoons on the west side of Nathan Road facing Mong Kok and No. 2 on the east side in the vicinity of the Pitt Street junction and all were soon heavily engaged with crowds who were throwing bottles and stones, setting up barriers and lighting fires. The eastern carriageway was blocked with empty buses. Crowds were milling around and windows in the buses were being broken. Tear smoke failed to disperse the crowds. At about midnight, Mr. ROSE instructed Mr. RINGER to use firearms to disperse a large crowd in front of one of the platoons on the west side of the Nathan Road and Hamilton Street area. The carbine section was called up and presented their carbines at the crowd, which retreated temporarily but reformed again. Shots were not, however, fired at this point. Instructions were now received

to go to the aid of the emergency unit car No. 8 near Soy Street. Mr. RINGER took some of his men and with difficulty reached the car and its crew, both of which he brought back to his company having removed several buses in order to get the vehicle out.

163. Meanwhile Mr. MCNUTT had debussed one platoon in Shantung Street and marched to the junction of Soy Street and Nathan Road where the Police vehicle had already been extricated. On the way back to his vehicles, he and his party were stoned by a crowd in Soy Street. Near the junction of Soy Street and Sai Yeung Choi Street, a baton charge was launched and the pattern which repeated itself so often that evening emerged, viz: a crowd of 50 to 100 people would suddenly collect, attack the police with stones and then disperse just as quickly when charged. Mr. MCNUTT's two platoons were engaged at this time in dispersing the crowds as they formed. He said, however, that the crowds, whilst stoning the police fairly heavily, were not particularly hostile and no missiles were being thrown from buildings in that area. Towards one o'clock the crowds in this vicinity were more or less dispersed and the area was quiet, but news had come through that the alarm in the Hongkong and Shanghai Bank at the junction of Argyle Street and Nathan Road had sounded at 12.20 a.m. Half a platoon was sent to investigate and information came back that vehicles were burning outside the bank but the interior was safe. At one o'clock instructions were received from Headquarters to go to the Fire Services Mainland Headquarters at the junction of Fife Street and Nathan Road which was under attack. Mr. MCNUTT took two platoons with him to this scene, the other platoon being still in Shanghai Street. He stopped his vehicles in Mong Kok Road and found a crowd of about 500 to 1,000 people milling around at the junction of Mong Kok Road and Nathan Road; this group attacked the police with stones, bottles, and other missiles. A second group of a similar size was milling around the junction of Sai Yeung Choi Street and Argyle Street, and a very serious fire was burning in the Shui Hing premises on the ground floor of Shaw's Building. The front door of the neighbouring Fire Services Mainland Headquarters was also on fire and a large pile of wooden boxes was burning outside the Headquarters. A fire appliance was already at the scene, parked inside Sai Yeung Choi Street near the junction of Fife Street. A Fire Services Officer pointed out that if the fire in Shaw's Building was not put out quickly, the whole building was in danger and that his firemen were unable to dismount from the vehicles and deal with the fire because of stones and other missiles coming from the crowd. Shaw's Building is one of the large multi-storey buildings common in Hong Kong, with shops on the lower floors and offices and residential accommodation above. Mr. MCNUTT formed the impression that looters had gone into the Shui Hing Company and the watch company next door and had started a fire inside. He sent one platoon to the front of Shaw's building to deal with the situation there and two columns of the other to the Fife Street/Sai Yeung Choi Street junction, where he also proceeded with his runner. He decided that

it was necessary to disperse the crowd at the junction of Argyle Street and Sai Yeung Choi Street as quickly as possible. He and his runner each fired five revolver shots at the legs of the crowd, which began to move back. By the time firing had finished, the crowd had completely moved out of Sai Yeung Choi Street and was concentrated in Argyle Street: the shower of missiles on the police and Fire services personnel then stopped and the latter were able to alight from their vehicles and begin fighting the fires. The sergeant with the other platoon which had been sent to the front of Shaw's Building had also fired a shot. The crowd on this side of the building was smaller than that on the Sai Yeung Choi Street side and was throwing missiles in the same way but including what appeared to be cotton waste soaked in kerosene and vehicles were burning near the Hong Kong & Shanghai Bank building.

164. When Mr. McNUTT moved his platoon to the junction of Argyle Street, he saw that the crowd was about to return. He therefore instructed the police constable with him to fire his carbine, one round over the head of the crowd and another at their feet. He did not have enough men with him to make a charge but he thought the position at the time was very dangerous and it was essential to show the crowd that the police were using firearms. The crowd then moved eastwards up Argyle Street near the junction with Sai Yee Street and Yim Po Fong Street, still about 500 to 1,000 strong and in an angry mood. Mr. McNUTT's runner indicated one man standing on the outside of the crowd, who appeared to be urging the crowd to attack the police—a man under 40 dressed in a white shirt and tie. Mr. McNUTT ordered the police constable to fire at this man which he did. He was not hit and ran back into the crowd. A second constable was told to fire two rounds over the heads of the crowd, which then dispersed into the several streets leading off Argyle Street. Before Mr. McNUTT issued his fire order, the platoon sergeant had called on the crowd over a loud hailer to desist from throwing stones or the police would open fire. Banners had also been put up but these could not be kept up for long as the police were being attacked. No serious injuries were received by the police, but many of them had bruises from the stones. Photographs of the damage to Shui Hing Co. and to vehicles in Argyle Street are at Plates 21 and 22. Shortly afterwards, the company was relieved in this area by the Traffic Office company and instructed to proceed to the Fire Services Building at Tong Mei Road where they linked up again with the platoon which had been left in Shanghai Street—but the incident reported was over when they arrived. They then proceeded to patrol the Sham Shui Po area until they got instructions at 2.25 a.m. to proceed to the Post Office at the junction of Nam Cheung Street and Yen Chow Street. On arrival, they found a relatively small crowd of about 40 people piling wooden boxes outside the post office and using kerosene to start a fire, but the crowd immediately broke up when the police appeared.

165. Meanwhile, some distance from this area, a report was received from a mobile patrol that a group, about 30 strong was moving westwards along Argyle Street near Kowloon Hospital. Mr. BRETHERTON, commanding the Wong Tai Sin company, which had been in reserve up to midnight, when it received instructions to move up and support the other companies with an admonition from Mr. SUTCLIFFE to use all force necessary to bring the situation under control, was now standing by near the flyover at Princess Margaret Road and Argyle Street. He was ordered to deal with this group, whom he met marching in ranks of four abreast with the leading file carrying a banner, bearing Chinese characters reading 'Oppose Star Ferry Increases'. Mr. BRETHERTON spoke to them and found that they had an excellent command of English. He told them that the procession was unlawful as no permit had been given for it and that, if they continued, they would be liable to arrest. From their manner and general deportment, he took them to be students. They were inclined to argue with him; however, he made it quite clear that he was not prepared to discuss the merits or demerits of the Star Ferry increase but intended simply to enforce the law. They responded to this, turned about and broke up their formation.

166. Mr. BRETHERTON then moved his company up to the junction of Nathan Road and Shantung Street. At about 1.30 a.m. he received instructions to proceed to Bute Street to engage a crowd of rioters who were attacking the post office and a telephone exchange in Bute Street. He sent his No. 1 platoon into Nelson Street with the intention of sealing off the southern area from Bute Street, and took his remaining two platoons up Nathan Road and into Bute Street from Nathan Road. There were several small fires burning in the road and a fire at the entrance of the Post Office building. Several hundred yards down Bute Street towards Tong Mei Road, there was a large crowd, although the vicinity of the Post Office itself was deserted. With his Staff Sergeant, he turned into Portland Street and saw a crowd about 200 strong advancing towards him 100 yards down Portland Street. It was very noisy and, Mr. BRETHERTON thought, under the impression that he and his sergeant were the only policemen in the vicinity. The crowd began to throw stones and bottles and from the left flank of the advancing crowd came the sound of breaking glass, which he took to be the breaking of windows. There were various abandoned motor vehicles and buses in the street, and at that moment, when Nos. 2 and 3 platoons were in the process of alighting from their vehicles, they were particularly vulnerable to attack. He noticed a distinct smell of kerosene from some broken bottles, so he warned the crowd in Cantonese to disperse or fire would be opened. This had no effect and he directed his staff sergeant to fire. One shot was aimed at a member of the crowd who appeared to be the ring-leader and the crowd ran back. They soon stopped however and turned again facing the police, but, by this time, No. 2 platoon had come up and dispersed them with tear smoke.

167. Mr. BRETHERTON described the state of Nathan Road at that time as being very thickly covered with broken glass and all sorts of debris; any moveable object had been thrown into the road, traffic signs, road signs, bus-stop signs, traffic pagodas had been overturned and one or two were on fire. There were small fires in the roadway, on the pavements and at entrances to shops and buildings; a number of motor vehicles were on fire and several had been burned out. Many buses and vehicles had been abandoned in Nathan Road, some obviously hastily as their engines were still running. This was about 1.30 a.m. on the morning of the 7th and Fire Services units were dealing with fires at their mainland headquarters and also in Shaw's Building. Mr. BRETHERTON reformed his company, swept through the area in which he had been operating and went back into Nathan Road. He then received instructions to deal with a reported crowd of some 30 persons, who were said to be attacking premises in and around the general area of Tong Mei Road/Boundary Street/Nathan Road and Bute Street. He deployed his platoons into various formations and instructed them to carry out sweeps of all the adjacent roads in this area. They met scattered groups of people but it was clear to him that the latter had, by this time, lost heart, so far as the police were concerned, and had no desire to clash or resist the police: their main desire being to vanish whenever the police appeared. About 3.30 a.m. he received instructions to carry out a patrol of the Mong Kok divisional area and enforce the curfew which he did until his company stood down at 5 a.m.

168. Meanwhile, the Marine company, after rescuing emergency unit car No. 8, had moved north to the Soy Street junction and secured it. There were still a lot of people milling about and Mr. RINGER got a message that one of his constables had fired two carbine shots. He extended his company further north towards Argyle Street where there were many more fires. A report was received that attempts were being made to loot the department store of the Yan Yan Company at the junction of Nathan Road and Nelson Street. He went to the store and saw that several windows had been broken and several rice cookers and other things were apparently missing. As he moved north, he searched for the drivers of the abandoned buses and tried to persuade them to get their vehicles moving. When he reached Shaw's Building, he found fires burning and the platoon of the Sham Shui Po company already ahead of him. On the way up he had seen a number of fires in the Argyle Street area and a number of burning vehicles. He made contact with Mr. MCNUTT, Commander of the Sham Shui Po company and came to the conclusion that Mr. MCNUTT could handle the position in that immediate area. Shortly afterwards, he learned that his own headquarters section was being attacked by a crowd of 100 people in the Soy Street area; he went to their aid and had not only to fire tear smoke but to put in a baton charge to deal with the situation. These measures were not entirely effective and members of the crowd could be seen trying to light fires. Orders to disperse through a loud hailer proved ineffective, so Mr. RINGER pointed a carbine at the crowd but it had no effect;

instead, the stoning and bottle throwing increased: he then fired a warning shot, which proved effective.

169. Shortly after this, at about 1.50 a.m. he regrouped his company and proceeded to the China Light and Power Co.'s Office at the junction of Waterloo Road and Argyle Street as a report had been received that a crowd was trying to break in there—but this turned out to be false. The China Light and Power Co.'s personnel had asked for assistance to go to one of their transformers which had been damaged and this may have led to a misunderstanding: but, as they were seeking a police escort for the purpose of repairing China Light property which had been damaged, Mr. RINGER went with them to the Yau Ma Tei area where his company then continued to patrol. At about 3.15 a.m. they found a crowd pushing a car into Jordan Road near the junction of Canton Road. The crowd abandoned the car on the approach of the police. It was followed and arrests were made.

170. During this time Nathan Road between Gascoigne Road and Waterloo Road had been kept well under control by the Police Training Contingent and Yau Ma Tei companies; but, when, at about a quarter past midnight, No. 1 platoon of the company, which had been dealing with the crowds to the west of Nathan Road and in the vicinity of Wing Sing Lane and Temple Street, came back into Nathan Road, the crowd began to swell again with groups emerging from side streets and from doorways and to move menacingly towards the police. Mr. ROSE, however, taking one platoon from the Yau Ma Tei company and one from the P.T.C. company, proceeded to deal with these crowds while the P.T.C. company extended its control southwards to Jordan Road. Thereafter, Mr. ROSE was able to release the Yau Ma Tei company for the southern sweep already described, and about 2 a.m. Mr. SHAVE was ordered by Mr. ROSE to re-form his P.T.C. company and move north. This he did with some difficulty, as the road was obstructed with stationary vehicles and various small fires scattered here and there. He moved up north towards the vicinity of Shaw's Building, where he saw the aftermath of incidents we have already described. Thereafter, he patrolled the Sham Shui Po area which he found generally quiet.

171. Shortly after the Headquarter company had been relieved in the Tsim Sha Tsui district at 1.45 a.m. by the Police Training School company, it was ordered to deal with the alleged attack on the offices of the China Light and Power Company in Argyle Street. The company was then ordered at 2.15 a.m. to investigate a reported fire at the junction of Nathan Road and Mong Kok Road. As the company was passing the junction of Yim Po Fong Street and Argyle Street, Mr. DUNNING saw rioters looting the premises of Jones Wong & Company and Yee On Hong. Goods were being taken from these premises and some had been piled in the road and set on fire; road signs as well as cars and scooters were also on fire but the looters fled on the approach of the police. One looter was arrested and

the fires were put out. No. 2 platoon was left in the area whilst the other platoons, after a brief rest, carried out curfew enforcement patrols in the Mong Kok area.

172. Meanwhile, the Kowloon City company, in accordance with instructions, had been making its way north in circumstances of some difficulty and had debussed at the Dundas Street junction at 2.05 a.m., forming cordons at the junctions of Dundas Street with Portland, Shanghai and Reclamation Streets and Canton Road. They were attacked intermittently from both sides by groups of 10 to 20 youths throwing missiles and, on one occasion, a mob of about 150 appeared on Nathan Road. This was dispersed with the aid of tear smoke. The first platoon then secured the junction of Nathan Road and Dundas Street whilst Nos. 2 and 3 platoons moved northwards to Soy Street securing the side streets on route. Continuous police action in the general area between Waterloo Road and Shantung Street with considerable use of tear smoke had gradually suppressed the rioting and at 2.30 a.m., Mr. SUTCLIFFE had reported to Colony Headquarters that he thought the situation in Kowloon was coming under control. By 3 a.m. things were generally quieter.

173. 'A' Company, 1st Bn. The Queen's Own Buffs patrolled in the Waterloo Road area to assist in curfew enforcement from 4.45 a.m. Other units of Her Majesty's Forces had reported to police stations but no other units were deployed in the streets for the purpose of suppressing riots during this evening.

174. *Traffic Diversion.* One motorist complained to us that on the night of the 6/7th he was diverted into, rather than away from, the danger area west of Nathan Road. It may be that there was an individual error on this occasion and, as we shall see, additional precautions were taken on the following night. We had no other indication that in general the important but difficult task of diverting traffic in a changing situation did not receive adequate attention.

175. *Summary.* From the preceding account of the events of this night it is evident that no clear and concise summary is possible. One incident led on to another and the pattern was kaleidoscopic though repetitive. A crowd would gather to take part in demonstrations or to watch the banner-bearing groups in Nathan Road: it would gradually swell in size and one or two members would start to throw things at passing vehicles or to break traffic signs or parking meters, an example that proved contagious; when the police arrived, stones and other missiles were thrown. The police would give warnings and then use batons or tear smoke to break up the crowds. The crowds would disperse into side streets or up staircases and re-appear when the police party had moved on. Although elements of groups broken up at one point by the police would probably tend to re-appear at another, there was little evidence of any co-ordination of the mobs or of any direct targets of attack: in particular, no damage was done to the Star Ferry Co.'s property. The main damage was to the obvious targets in the streets such as cars,

shop windows, traffic signs and the police. This is borne out by the damage to property reported to the police as listed at Appendix 8. Details of claims for awards in respect of injuries and damage arising from the disturbances are contained in the report of the Kowloon Disturbances Claims Assessment Board.

176. The disturbances were confined to the area of Nathan Road from Tsim Sha Tsui in the south to Sham Shui Po in the north, with nearly all the incidents confined to a two mile stretch of Nathan Road and the side streets on either side up to a maximum of 500 yards on the west. There was no evidence of disturbances in Kowloon east of the railway line or in the heavily populated resettlement estates to the north. This confirms the impression of most commentators that the main aim of the rioters was to occupy Nathan Road and the main aim of the police was to prevent this. There is a population of about half a million people in this area and its immediate vicinity and the evidence indicates that although crowds were large, they were only a small proportion of the potential in the area. No estimate of the total number of participants in the disturbances has been made but all observers agreed that the crowds were predominantly composed of youths.

177. The number of casualties suffered by police and public on this night is set out in Appendix 6, the amount of ammunition used by the police in Appendix 9 and details of persons arrested during the riots and the results of subsequent proceedings is shown in Appendix 7. During the curfew period on the night of the 6th/7th, a total of 427 persons were arrested; of these 334 were charged with breach of curfew only, 16 with breach of curfew and other offences and two with other offences: 75 were released.

CHAPTER 4. THE EVENTS OF APRIL 7/8TH. THE SECOND NIGHT OF RIOTING

178. After the lifting of the curfew at 6 a.m. on April 7th, every effort was made to clear the streets so that the life of the city could return to normal. Police in the streets were confined to mobile and foot patrols and there was no indication of further disorders before the early evening. The morning newspapers expressed shock at the previous night's events. Appeals by the Governor and civic leaders, condemning the violence which had occurred and calling for an end to the disturbances were broadcast and published.

Police Precautions

179. Police companies in Kowloon were formed as for the previous night with the addition of the Auxiliary company but the Traffic Office company was reduced to two platoons in order to permit normal traffic duties to continue during the day, and special diversion teams to be available during the night. Companies rested during the day.

180. The distribution of manpower in Kowloon District at the outbreak of further rioting that night was:

Uniformed Branch	...	3,600	*C.I.D.* ...	...	356
Divided between:					
Riot Companies	...	1,167			
Stations ...	...	1,262	half on and half off duty		
Mobile Patrols	...	129	half on and half off duty		
Foot patrols	...	757	half on and half off duty		
Key Posts & unallocated	...	147			
Pol./Mil. H.Q.	...	138	half on and half off duty		

181. In addition, a number of military units were deployed to police stations or on standby in barracks as described in Part IV, Chapter 3.

Outbreak of disturbances

182. The first incident of the evening occurred when a report was received at 6.20 p.m. of a youth addressing a crowd outside Shaw's Building, which had been the scene of the most serious incident of the previous night. On investigation, it was found that he was urging the crowd to follow him to the oil installations at Lai Chi Kok; the crowd moved off in a westerly direction and later were dispersed without difficulty. Three arrests were made as a result of this incident.

183. Apart from this, Kowloon appeared generally quiet and no incidents were reported by mobile patrols in the areas in which the previous night's disturbances had occurred. However, various witnesses spoke of a feeling of tenseness in the crowds on the streets. e.g.

> MR. DUNNING: 'It seemed that people were waiting for something to happen';
>
> Mr. ROSE: 'I had a feeling of tenseness and a great many of the youths in these groups appeared to me to be similar to the rioters the previous evening'; and
>
> Juvenile Liaison Office report: 'many groups of youths stood around street corners as if expecting something to happen. They appeared to be only awaiting leaders but there was no sign of organization. The situation amongst them was tense . . . .'

184. The next incident occurred at 9.30 p.m., when a report was received of a crowd of 150 persons at the junction of Argyle Street and Nathan Road—another scene of serious damage—where three youths were boasting of their activities on the previous evening. The police sought to disperse this crowd but it became hostile and stones were thrown. Warnings were given, tear smoke fired and the crowd dispersed southwards. Eight arrests were made and the police company returned to base.

185. This incident would appear to have given currency to reports that crowds entering and leaving the cinemas in this area at about this time had tear smoke

fired at them. We questioned a senior police officer on this and he readily admitted that cinema crowds might have become involved as innocent by-standers. This was unfortunate but we are satisfied that an incident was taking place in the area and warnings given before tear smoke was used and the police could hardly be expected to distinguish between active and passive elements in the crowd when it was clearly their duty to prevent a serious breach of the peace.

186. Shortly after this, further reports were received of a crowd of about 100 in Argyle Street near Sai Yeung Choi Street and of a second crowd of about 200 at the junction of Nathan Road and Shantung Street to the south. Headquarter company dispersed these crowds and by 10.40 p.m. the area appeared quiet, apart from isolated incidents of stone throwing.

187. A 10.50 p.m. a report was received that a crowd of 1,000 at the junction of Nathan Road and Shantung Street, outside the King Wah restaurant, was stopping vehicles and throwing stones. At the same time a crowd of 500 was reported at the junction of Portland Street and Shantung Street scattering wood in the road: this would appear to have been part of the same crowd. Headquarter company was ordered to move northwards from the last incident to engage this crowd. The police turned about and were stoned by the crowd at the junction of Nathan Road/Dundas Street and the company fired tear smoke, pushing the crowd northwards. At 11 p.m. Headquarter company had cleared Nathan Road up to Shantung Street and the crowd was retreating, although still hostile and throwing stones and other missiles at the police and attacking buses.

188. This was the major incident of this night involving a large crowd and it was described to us by two bus drivers, a cameraman and a reporter. The photographs at Plates 23 and 24 show a crowd of young people outside the King Wah restaurant starting to barricade the road and to stone the traffic. The photographer described them as curious by-standers, who, nevertheless were prepared to join in; when someone shouted 'let's throw' they would all start throwing.

189. A reporter in the same location described how the crowd grew spontaneously from three or four persons to several hundreds: then a police car came past and some people threw stones: then the crowd quietened down: 'and then one young chap stood up in the crowd, walked into the middle of Nathan Road and picked up some kind of warning lantern . . . . and kicked it . . . . and everyone shouted . . . .' Following this incident, he described attacks on buses and then attacks on press photographers. His impression was that the crowds in the street were smaller than usual and composed, he said, mainly of 'hawkers, children from poor families, street boys, unemployed'.

190. The bus drivers described how they had seen nothing unusual during their trips up and down Nathan Road until they ran into crowds at the Shantung Street junction between 10.40 and 10.50 p.m., who, before the passengers could alight, stoned the buses and broke all the windows.

191. Meanwhile, Yau Ma Tei company had been ordered to support Headquarter company by sweeping eastwards from Reclamation Street to Nathan Road via Nelson Street, Shantung Street and Soy Street. No crowds were contacted in these streets to the west of Nathan Road, but small fires were burning, which obstructed the company vehicles. While the vehicles were held up in negotiating these obstructions, a crowd of youths were seen approaching from the north, pulling various roadblocks into Reclamation Street. This crowd started to stone the vehicles. The police guarding the vehicles gave warnings and, when tear smoke failed to deter the youths, two rounds of ammunition were fired. The crowd dispersed but later another attack was launched on two policemen guarding the vehicles. After this incident, the company joined up with Headquarter company in Nathan Road and moved north.

192. Meanwhile also, further support had been given to the Headquarter company in Nathan Road by the arrival of the Sham Shui Po company which was ordered to take up position in Yim Po Fong Street between Argyle Street and Waterloo Road, to the east of Headquarter company, with instructions to prevent any rioters breaking out into other areas to the east. They encountered no incidents other than a small crowd setting fire to market paraphernalia in Soy Street near Fa Yuen Street, which they dealt with.

193. At approximately 11.10 p.m. Headquarter company was continuing its advance up Nathan Road past the junction with Fife Street. The crowd ahead, although still extremely hostile, was not prepared to stand and resist, but merely obstructed the company's advance by placing obstacles in its path and by stoning it from a distance. By 11.25 p.m. the company had reached the junction of Nathan Road and Bute Street. The main crowd had dispersed and only three small mobs remained active. These were located in Bute Street to the west of Nathan Road, in Lai Chi Kok Road and in the vicinity of the Royal Theatre in Nathan Road. A car was burning in Bute Street and the mob there was dispersed, while attempting to overturn another vehicle. Tear smoke was fired to disperse the three mobs and, although they reformed after the smoke had drifted away, they finally broke up under continued pressure and dispersed. By midnight this area was reported to be quiet and free of rioters.

194. At about 11.50 p.m. the Kowloon City company arrived at Waterloo Road with instructions to drive northwards via Nathan Road and the streets to the west. This company came under immediate attack from small groups of youths; in particular, hostile groups at the junction of Shanghai Street and Pitt Street and at the junction of Canton Road and Pitt Street obstructed the advance of Nos. 1 & 2 platoons and necessitated the use of tear smoke and wooden projectiles. One round of ammunition was used in dispersing a group of youths which emerged from Man Ming Lane and was lighting fires in Nathan Road. During the company's advance they were under frequent bombardment by missiles and refuse

dropped from the rooftops and windows of multistorey buildings. The company reached Soy Street at about 1 a.m., where a platoon was sent to extinguish the fire which had been reignited after the previous action by the Sham Shui Po company. In the course of this, two rounds of ammunition were fired.

195. At about midnight, a group of rioters broke into the Gala Cinema and a military unit was sent to deal with this incident.

196. Meanwhile, the Marine company had been ordered from Yau Ma Tei Police Station at 11.30 p.m. to deal with a crowd at Dundas Street, which was reported to be damaging parking meters and road signs and overturning cars. The company was stoned as it passed up Nathan Road, clearing obstructions and putting out fires in the road. At Dundas Street the company came under attack from a hostile crowd of about 30-40. Stones and bottles were thrown at the police and also a type of fuel bomb which ignited on impact—apparently similar to those which had been used against the Wong Tai Sin company on the previous night. The company commander, fearing for the safety of his transport and ammunition, called on the crowd to disperse and when they did not do so, he fired one round. When the crowd dispersed as a result of this, one man was found with a wound in his thigh and hand and another with a serious wound in his chest. The latter died shortly after arrival in hospital, and at the subsequent inquest, a verdict of excusable homicide was entered. A report in an English newspaper of 8th April described this incident as follows:

> 'Last night I watched as Police were forced to open fire on an uncontrollable mob overturning cars at Mong Kok. One man was killed and another wounded . . . . the man, CHENG Yan Cheung, 28, was shot in the chest and died after being taken to Kwong Wah Hospital.
>
> CHENG was shot when police opened fire on a rioting crowd in Dundas Street near Nathan Road about midnight.
>
> Before firing they gave constant warnings to the crowds to disperse.
>
> Police stretcher bearers raced into the crowd and carried the two wounded men into Nathan Road . . . . his death was hurried along because shouting, screaming mobs of rioters would not give way to an ambulance which had been called by Police.
>
> While Police were putting CHENG into the ambulance they were under a petrol bomb barrage'.

197. After this incident, the Marine company continued to disperse small crowds at the intersections with Nathan Road in this area, until they were ordered to move south to Waterloo Road at about 1 a.m. From there they dealt with a crowd lighting fires in Portland Street and they extinguished a number of small fires in the area. A further attempt was made to burn the Yau Ma Tei Post Office but a Fire Services unit extinguished the fire at 1.30 a.m.

198. Although conditions were generally quieter after midnight and the situation was rapidly coming under control, reports were still being received of

small mobs active in the Mong Kok and Yau Ma Tei districts. Various streets bordering the area in which the disturbances occurred had been picketed by troops to prevent the spread of disturbances.

199. Until midnight, only the five police companies, whose actions have been described, were engaged in suppressing the riots. Shortly after, however, the curfew was promulgated and the Wong Tai Sin, Auxiliary and Police Training Contingent companies moved up to give assistance in restoring order. At 12.15 a.m. a proclamation was made under the Peace Preservation Ordinance (Chapter 244) that the Colony should be subject to Parts 2 and 3 of that Ordinance. The effect of this is to give increased powers of search and arrest to Justices of the Peace and police officers authorized by them.

200. The main incidents between midnight and 1 a.m. were as follows. At about 12.20 a.m. Yau Ma Tei company advanced on a crowd which was attempting to set fire to vehicles at the junction of Mong Kok Road and Shanghai Street. After warnings and tear smoke had failed to disperse the crowds, a total of seven rounds of ammunition were fired without any casualties being observed. In another incident involving a platoon of this company in Mong Kok Road near Tung Choi Street, a mob of people with burning torches who were attempting to set fire to a vehicle were dispersed after one shot had been fired.

201. At 12.30 a.m. the Auxiliary company, on arriving at Tong Mei Road with instructions to set up a cordon to prevent crowds spreading to the west, saw a crowd of 150-200 destroying property and building fires in the road, which endangered the lines of parked vehicles. The company was attacked with stones and debris as they alighted from their vehicles and the crowds started to build barricades in Tong Mei Road. They failed to disperse when warnings were given and tear smoke had to be used.

202. At about the same time, the Wong Tai Sin company arrived at the junction of Nathan Road and Public Square Street with 'B' Company 1/2 Gurkha Rifles in support to deal with a crowd of 300 in this vicinity, reported to be burning the traffic pagoda and making fires in Nathan Road. The crowd gradually grew in size but retreated as the police and troops marched down Nathan Road; the company halted at Jordan Road after the crowd had dispersed into side streets; the majority ran off in the direction of the vehicular ferry concourse and were dispersed with tear smoke into the side streets off Jordan Road. The company then continued down Nathan Road into Tsim Sha Tsui, where they encountered no serious incident and were mainly engaged in enforcing the curfew, which had come into effect at 12.30 a.m.

203. Between 1 and 2 a.m. the main incidents were as follows. The Yau Ma Tei company used tear smoke to disperse small crowds in the streets West of Nathan Road in Mong Kok and one shot was fired to prevent missiles being thrown from

windows and rooftops. Later, at 1.50 a.m., six shots were fired at a small mob at the junction of Temple Street and Jordan Road which was trying to set fire to a car after warnings and tear smoke had failed to disperse them.

204. The Kowloon City company dealt with an incident in Soy Street, as already described in paragraph 194 and the Headquarter company returned to base at 1.25 a.m.

205. Shortly before 1 a.m. a report was received of a fire outside the Yau Ma Tei Post Office and the Marine company dispersed two crowds in this area, making 20 arrests.

206. At 1.30 a.m. an attack was made on a fire appliance returning to Tong Mei Road Fire Station, but the crowd was held off by the escorts and a military unit sent to the scene found that the crowd had dispersed.

207. By 2.30 a.m. rioting had died down and the police companies reverted to curfew enforcement duties.

208. It is clear from the narrative in the preceding paragraphs that the disturbances on April 7/8th were confined to a more limited area and to a shorter period of time than on the previous night.

209. One reason for this appears to lie in the precautions taken. Not only were the police better prepared on this night but they had additional personnel available and the benefit of their experience in dealing with the crowds on the previous night. In addition, there was an earlier curfew and the obvious presence of troops on the streets to deter all but the more determined troublemaker.

210. A further reason, however, was the absence of the large crowds attracted to the demonstrations on the previous night by curiosity and the prospect of what they thought was only a little excitement. On this night there is no evidence of any demonstrations or banners and, consequently, the casual onlookers who may have been drawn into the rioting on the first night through support for the demonstrators or pure curiosity were less evident on the second night, after dispersal of the large crowd in the Nathan Road/Shantung Street area and the evident determination of the Police to take firm action.

211. That the participants in the disturbances on this night were more aggressive although fewer in number, is indicated by the evidence of a number of police officers who gained the impression that the crowds on the 7/8th were composed of people who appeared more determined and more hostile to the police than on the 6/7th. The evidence of newspaper reporters and photographers confirms that this hostility extended to them also. The reason why, in spite of this, less damage to property occurred seems to lie in the greater speed with which the police moved against gathering crowds.

212. The effect of these two factors—smaller crowds, and a greater degree of police control—is evident in the smaller amount of damage caused on this night (see details in Appendix 8) and the fewer casualties suffered. Also, fewer persons were arrested—a total of 237, of whom 198 were charged with breach of curfew, 12 with breach of curfew and other offences three with other offences and 24 released.

CHAPTER 5. THE EVENTS OF 8TH/9TH APRIL

213. In the light of the rioting which had occurred on the previous two nights, the security authorities decided that the most rigorous precautions were justified to prevent any further outbreaks of violence. Accordingly, at 3.30 p.m., the Governor ordered a curfew over Kowloon and New Kowloon between 7 p.m. on 8th April and 6 a.m. on 9th April. This was promulgated by every possible means and curfew passes were issued to those who had essential reasons for being on the streets during those hours.

214. Also, it was agreed by the District Commander, Kowloon and his military counterpart that army units would cordon the areas in which disturbances had occurred the previous night from Prince Edward Road in the north to Public Square Street in the south. Eight police companies were to be deployed inside this cordon to enforce the curfew and to stop any disturbances developing. This operation commenced at the onset of curfew and only minor opposition was encountered by the police companies. The strength of forces available to the police was almost the same as on the previous night.

215. The prearranged curfew combined with patrols by police companies within the 'box' formed by the military cordon were almost entirely effective in clearing the streets. Photographs and evidence from press reporters confirm the District Commander's report that by 8 p.m. the curfew was nearly completely effective.

216. The only reported incidents on this night were as follows:

(*a*) At 7.30 p.m. bottles and stones were thrown at a platoon of the Wong Tai Sin company from the rooftop of a multi-storey building in Canton Road in Mong Kok. Several arrests were made as a result.

(*b*) At about the same time, a crowd of 50 persons at the junction of Soy Street and Canton Road was dispersed by another platoon of the same company.

(*c*) Between 8 and 8.25 p.m. action was taken against a group of youths in the area of Chungking Mansions in Tsim Sha Tsui. Two arrests were made and a number of bottles seized.

217. At 11.20 p.m. police companies were ordered to return to base and replaced by platoon patrols. The military cordons were withdrawn some time later after no further incidents had occurred.

218. The measures taken by the security authorities and the realization amongst potential trouble-makers that firm measures would be taken to suppress any disturbances combined to ensure a complete cessation of the disturbances on this night.

219. No casualties or damage to property were reported and only four rounds of tear smoke were used. During the curfew period, 523 persons were arrested: of these, 335 (64%) were released, 185 charged with breach of curfew and three charged with other offences.

PART IV

THE MEASURES TAKEN TO DEAL WITH THE DISTURBANCES

CHAPTER 1. POLICE ACTION

The Demonstrations

220. Police action necessarily played a part in the occurrences from the demonstrations on April 4/5th to the outbreak of rioting on April 6th and in some cases influenced the course of events. In this chapter we look more closely at the decisions taken by the police, the reasons for them and the part they played in producing the ultimate pattern.

221. *The 'Hunger Strike'.* We were told that SO Sau Chung was kept under observation from the moment he took up position at the Star Ferry Concourse but, whilst recognizing that he was an object of interest, the police considered that he was not causing any real obstruction to persons passing to and from the Star Ferry and orders were given that no precipitate action should be taken to arrest him, unless it was necessary to prevent a positive obstruction.

222. We are satisfied on the evidence before us that the arrest of SO was quite in order and that no undue force was used. This is in contrast to the information which the demonstrators appear to have given Mr. BERNACCHI and Mrs. ELLIOTT outside the Urban Council Chamber. According to a newspaper reporter, they claimed that SO was not causing an obstruction, that he had not been warned to leave and that excessive force had been used in his arrest. We quote this at length here since it typifies the sort of mischievous exaggeration to which these young people were prone in describing police actions that interfered with their wishes.

223. We are satisfied that the decision taken by the police in tolerating SO's demonstration until he invited action by moving up to the turnstiles was based on good grounds, although, with the benefit of hindsight, it is possible to speculate that the subsequent escalation of events might not have occurred if SO had been asked to leave before his gesture had attracted the considerable publicity which it did and gained the support of a number of youths. On the other hand, from what we saw of SO, it would seem unlikely that a request to leave would have been tamely obeyed.

224. *The Demonstration March.* The action taken by the police in respect of the demonstration march on 5/6th April and the prior information on which

this action was based have already been described in Part III Chapter 1. This was the first peaceful demonstration to have been experienced in Hong Kong and it is understandable that the direction which it would take was likely to be as unknown to the police as it was to the demonstrators.

225. All the evidence indicates that the police tolerated the procession in a fair and reasonable manner and that only when events showed signs of getting out of hand did they intervene. No doubt, the demonstration might have been stopped at the Star Ferry before it moved off for the first time or after the speeches by LO Kei and RAGGENSACK and before the second march, but there was always the danger that this action might only have precipitated the events which followed, and we have no criticism now to make of the police action in permitting the demonstration to continue as far as it did.

226. *Recurrence of demonstrations on 6th April.* The precautions taken by the Police, in the early hours of the morning of April 6th after the demonstration march, have been described in Part III Chapter 2. The evident reluctance of many of the young demonstrators to keep the peace and to obey police orders were, in our opinion, sufficient justification for the precautionary measures taken.

227. This justification was enhanced by the general public mood of excitement and anticipation; by the recurrence of demonstrations at the Star Ferry concourses in Kowloon and Hong Kong on the afternoon of April 6th; by the events after the arrest of the demonstrator in Kowloon, which followed a similar pattern to that after SO's arrest; and by the reports received about demonstrations to be held in Kowloon that evening.

228. As a result, the relevant police officers were alerted but orders remained to observe and not to intervene unless a breach of the peace was threatened. In accordance with these orders, D.S. Yau Ma Tei dealt very tolerantly with the demonstrators who arrived from Hong Kong at Jordan Road (para. 130) and D.S. Sham Shui Po in the same manner with the demonstrators who arrived from Hong Kong at the Sham Shui Po ferry pier (para. 134). A procession first seen at the Star Ferry Kowloon at approximately 8 p.m. and later observed marching up Nathan Road to Mong Kok and back to the Star Ferry was similarly tolerated, and attracted little or no attention.

229. The situation changed rapidly, however, with the crowd marching on Yau Ma Tei Police Station, the incident in Nathan Road and the subsequent outburst of violence at Public Square Street.

The Riots

230. *Riot Suppression 6/7th April.* Soon after 10.00 p.m., Nathan Road between Waterloo Road in the North and Austin Road in the South was milling with people, traffic was held up and stones were being thrown at police, at buses

and at private vehicles. The evidence which we were given as to the tactics employed by the police in dealing with the disturbances on this night is summarized in the following paragraphs.

231. On receipt of the reports of the worsening situation, the District Commander despatched his Second-in-Command to make a personal assessment. Almost immediately Mr. ROSE ran into large unruly crowds near Waterloo Road and the H.Q. company was despatched to his assistance. Having checked that all was quiet in other divisions, the District Commander then ordered a further two companies to proceed to the scene of the trouble by different routes in order to form a box round Mr. ROSE and to contain the disturbances in Yau Ma Tei District.

232. These three companies were placed under the command of Mr. ROSE. Generally speaking, the strategy of containing and suppressing the disturbances in the Yau Ma Tei area and preventing their spread to the densely populated resettlement estates to the north was successful and, until about midnight, the disorders were contained in the area south of Argyle Street. However the disturbances gradually spread north, owing to the highly mobile nature of the crowds, which dispersed when the police sought to engage them and reappeared elsewhere through the side street off Nathan Road.

233. The main actions of the night have already been described in Part III and the imposition of the curfew is dealt with in Chapter 2 of this Part. The only other points to be noted are:

(*a*) At 10.50 p.m. full Force mobilization was ordered, and, shortly after, the Auxiliary Police, who had been placed on standby, were mobilized.

(*b*) At 12.05 a.m. H.Q. company, while dealing with an incident in Tsim Sha Tsui, was instructed by Pol./Mil. H.Q. to use firearms, if lawfully justified, to preserve life and property. This was followed at 1.30 a.m. by an instruction from the CP Ops Room to all district commanders to use all force necessary, including firearms if lawful and justified, to suppress disorders. The occasions on which firearms were used are dealt with in paragraphs 247-252 below.

(*c*) At 1.05 a.m. H.E. The Governor agreed to the use of troops in aid of the civil power. The use to which troops were put is dealt with in Chapter 3 of this Part.

234. The measures taken by the police were effective in bringing the situation under control after considerable damage had been done but without loss of life and with comparatively little injury to individuals; so little indeed that many were getting ready, as events would show, to seek further excitement on the following night.

235. Whilst the riots on this night were profoundly disturbing and must have appeared full of menace to many who saw them, there was, fortunately, little or

no real viciousness. Individuals as such, even the isolated policeman, were not savagely beaten up; serious violence tended to be done to things rather than to people, though it may well be that the capacity and readiness of the police to defend themselves played a part in this. The suggestion has been made that the presence of large bodies of police tended to provoke the crowds and, in itself, to generate violence. We do not think, on the evidence, that this suggestion is substantiated. The crowds were there anyway and the readiness to resort to violence was manifest before the police appeared in any large numbers. We have little doubt that law-abiding citizens would have spent a night even more uncomfortable and alarming than they actually experienced and probably would have suffered more severely, had it not been for the presence of police in sufficient numbers in the streets of Kowloon on the evening of April 6th.

236. *Riot suppression 7/8th April.* The precautions taken by the police on April 7th have already been recounted in Part III Chapter 4 and the manpower available in Kowloon District is set out in paragraph 180.

237. On this occasion, rioting broke out in Mong Kok district and the police tactics, as before, were to prevent crowds gathering, to contain disturbances within the smallest possible area and to suppress them as soon as possible. These were generally successful and the disturbances did not spread over as large an area or last for as long as on the previous night. This would seem to be due to a greater degree of preparedness on the part of the police and the benefit of experience on the previous night coupled with the assistance given by military forces and auxiliary services.

Allegations of Police Violence

238. We considered two separate types of allegations against the police which emerged during the course of our Inquiry. The first was the suggestion that police action caused the peaceful demonstrations to degenerate into riots. The only evidence which appeared to lend any support to this theory come from those witnesses who spoke of their anger at arrests made by the police having been the motive for their participation in the disturbances. Whether or not these latter statements are true, and we are quite ready to believe that the arrests of demonstrators did anger some people in the crowd, there is no reason to believe that rioting would not have occurred had the police taken no action to stop the processions on April 6th. In fact, the evidence points to the opposite conclusion and the experience of April may lead the authorities to decide that the risks of permitting street demonstrations, and particularly marching, are so serious that earlier action will have to be taken in future to prevent a breach of the peace.

239. The second type of allegation was contained in direct evidence of police violence in the streets. Some witnesses made wide general allegations which, when questioned, they were unable to substantiate with any specific detail, but the following incidents were related to us.

(*a*) *Arrest of demonstrators at Tsim Sha Tsui.* In describing the arrest of four demonstrators at Tsim Sha Tsui, one newspaper reporter told us of demonstrators having been pulled by the hair when being arrested and pulled to the ground and stamped on, and LEE Tak Yee spoke of a superintendent and other policemen clubbing people in the crowd, although in a statement he made to the Reform Club, a few hours later on the morning of the 6th, no such allegation appeared.

From the evidence before us, which included a news-film of the incident, it appeared that no more force than was necessary was used on this occasion. The allegation about pulling hair may have arisen from a misapprehension (see paragraph 101) and the allegation by LEE Tak Yee was, we think, untrue.

(*b*) *Arrest of HOR Wan Wah.* In his evidence, HOR Wan Wah told us that he was kicked twice when being arrested. He admitted resisting arrest and there may have been some sort of collision at the moment when he was, as photographs show, in a very excited state; but from photographs taken at, and immediately after, his arrest as well as the oral evidence we would discount any likelihood of deliberate maltreatment at this time.

(*c*) *Incident in Mong Kok.* One reporter told us of seeing three youths stopped in Nathan Road at about midnight on April 7/8th by a party of five policemen and pounded for one or two minutes with rifle butts. He was closely questioned on this incident and agreed that he was behind the glass door of a hotel on the other side of the road, that the lighting was poor, the distance about 200 ft. and the policemen had their backs to him. Whilst these circumstances might not have prevented him seeing what he alleged, they seemed to make unlikely his further claim to have overheard the remarks interchanged between the police and the youths at the time. Consequently a doubt descended on the whole of his story but we cannot say with certainty whether it was true or untrue.

240. It is commonplace during and after the occurrence of rioting anywhere in the world for accusations to be made of police brutality. This may be partly due to the fact that police inevitably tend to encounter, in certain sections of the public, a measure of unpopularity from the nature of their task in enforcing the law, which is made particularly onerous in Hong Kong by the failure or inability to find an adequate solution to the problems of hawking and of narcotics. This unpopularity can provide fertile ground for rumour and there is evidence that, in the April disturbances, ill-founded rumours of unjustified arrests and violence aroused anger amongst uncommitted bystanders and were sometimes started or recounted with that object in mind.

241. Obviously, it is possible that, in dealing with the rioting, isolated incidents of unnecessary force may have occurred but we have no reason to think

they were widespread or symptomatic of the operation as a whole. Many police units were accompanied by reporters who gave evidence before us and no such impression emerged from that evidence. Even the reporter who made the allegation just mentioned stated that the police had, in his opinion, been very restrained and reasonable with the crowds on the first night and that it was only on the second night of the riots that they seemed to be 'more rash and short of patience'. It would not be surprising if the police on the second night tended to take stronger action against those who, having seen what the effect of riots could be on the first night, chose to come back for more, but, looking on the evidence before us as a whole, we find no justification for the suggestion that police brutality caused the riots or that the police were brutal in the measures which they took to contain and suppress the rioting. On the contrary, the evidence indicates that, in general, the police action was characterized by reason and restraint and fully consonant with the principle that no more force should be used than is necessary to attain the objective.

The Emergency Structure

242. Having considered the evidence given concerning the equipping, the organization and the deployment of the police emergency companies, we formed the impression that the present procedure works effectively and we have only one or two points to make. The control and co-ordination of all the companies engaged would have been easier and their use more effective, had the companies from Hong Kong Island and the P.T.C. company from the New Territories been equipped to establish wireless communication with the field commander and the other companies immediately on their arrival in Kowloon. The evidence would also seem to raise a question as to the value of the field commander when the combined Pol./Mil. Headquarters is equipped to co-ordinate the movements of companies in the field and is in receipt of all incoming information on crowd movements and reports of incidents.

243. We note that plans to make available to company commanders additional personnel in small groups are already being drawn up; we endorse this proposal since it appears that on a number of occasions unnecessarily large bodies of police had to be moved to deal with small incidents or with false reports. This was inevitable under the allocation and distribution of police manpower in force at the time of the riots. There is, of course, an obvious danger in fragmenting parent units too freely and too indiscriminately, as the attack made on one motor-cyclist and three mobile patrols on 6th April so clearly demonstrated, but we feel that this danger is outweighed by the value of the small units in preventing the formation of large riot crowds and in breaking up the small groups which evade the larger bodies of police.

244. One further advantage in the use of smaller forces would be to provide a police 'presence' in more of the streets peripheral to the troubled areas, thus

extending the measure of confidence and assurance they engender among the residents. This view is supported by the evidence of witnesses who said that they expected trouble to arise because of the absence of police in the side streets off Nathan Road. It may well be that this increased effectiveness cannot be achieved without an increase in manpower available to the police; if so, we would recommend consideration of increasing the strength of the Auxiliary Police Force or of making the services of the Hong Kong Regiment available earlier, a matter to which we refer in the next chapter.

245. Regarding the use of weapons, there was evidence that batons were not particularly effective owing to the crowds melting away as soon as a charge was mounted and reappearing in another place. We were also told that tear smoke was ineffective at times owing to unfavourable wind conditions or to the crowds retreating beyond range. We deal with the use of firearms in paragraph 247 below.

246. We note that the use of all these weapons is common in riot suppression elsewhere in the world and although they may have their disadvantages, we see no reason to question the principles on which they were used on this occasion. Some witnesses spoke of tear smoke having been used indiscriminately and on bystanders e.g. crowds coming out of cinemas. While we have little doubt that bystanders did suffer from tear smoke and that, as a result, some might have been tempted to join an unruly crowd, we have no direct evidence of this. Also, we note from the evidence of a social scientist that it is well known in the psychology of riots that the bystander who gets involved tends to be drawn in with the mobs since, in the nature of things, he cannot participate in disciplined units of the police. Provided that adequate warnings are given by the police, and the evidence indicated that, in general, they were, there is no reason for innocent bystanders to get critically involved unless they are impelled by a curiosity which overcomes their sense of danger.

Use of firearms

247. We have examined the occasions on which firearms were used and heard evidence on the orders governing their use. Details of the amount of ammunition of all types used and of the occasions on which firearms were used are given in Appendices 9 and 10.

248. We note that a total of 93 rounds of ammunition were fired and that one death and three injuries were caused by gunshot wounds. Various reasons were given for this very low casualty rate, which was not, however, particularly surprising because, being night-time, visibility was poor and accuracy of aim at a distance was not possible; moreover many shots were aimed at the tops of buildings and some were deliberately aimed over the heads of the crowds.

249. Of the total, 18 rounds were fired in connection with the very serious incident in Shaw's Building where there was substantial danger to life and property and a further 17 shots were fired when small bodies of police were confronted with large bodies of hostile rioters.

250. In nearly all other cases, apart from the category next mentioned, firearms were used only after warnings, when other measures had failed and determined crowds were damaging property, lighting fires and/or stoning the police.

251. A total of 20 rounds of carbine, two sterling and two revolver were fired in Yau Ma Tei and Tsim Sha Tsui districts by Yau Ma Tei company between 1.45 and 3.00 a.m. on April 6/7th to stop bombardments with flower-pots, litter-bins etc. from the roofs and upper floors of multi-storey buildings. These missiles were very dangerous and, in explaining why he thought that the use of firearms was the most effective way of dealing with the bombardments, the Company Commander said:

> 'The only other steps would have been to have gone up to the rooftop. I know that each of these buildings have a minimum of 17 storeys, huge buildings, many many stairways up and down, several lifts, of course, but you couldn't put a platoon in a lift for instance, so it would have meant climbing up—I considered it was the only way to stop this satisfactorily; in fact, once I had fired, it did stop'.

252. We readily accept the fact that these missiles could have caused serious or fatal injury to anyone being hit from a height of 120 ft. or more and that it would often be impracticable to detach a squad of policemen from the company to go into the building and deal with the offenders. It is to be noted that, in seeking to arrest this barrage from the rooftops, the Police would be protecting not only themselves but others in the streets who could also have been seriously injured by so indiscriminate a barrage. We see no reason to question the justification for the measures adopted.

Conclusion

253. To sum up, the confidence and skill shown by the Police Force in suppressing these disturbances with a remarkably small number of casualties is a tribute to the organization and training of the Force. This was the first occasion on which the present emergency organization, evolved from experience in the 1956 riots, had been tested in action and it appears to have done well.

CHAPTER 2. THE CURFEW

254. It is obvious that in Hong Kong's overcrowded urban areas, the imposition of a curfew is a vital weapon in the hands of the security forces charged with preventing and quelling disturbances. Experience in 1956 and again in 1966 has shown how effectively a curfew can aid in the suppression of riots in Hong Kong by clearing the streets of the less determined onlookers, thus enabling the security forces to deal with the actual rioters.

255. Consequently, and because some 90% of the persons arrested and charged for offences connected with the riots were charged with breach of curfew, we examined at some length the circumstances surrounding the imposition of curfew on the nights of April 6th, 7th, 8th and 9th; and the manner in which it was promulgated.

256. Those responsible for requesting, advising or deciding on the curfew must, of course, consider the disruption to ordinary life, loss of business and hardship that can flow from an arbitrary all-embracing order of this kind; factors that have to be balanced carefully against the extent of the danger which has prompted the request. In deciding on the hour from which the curfew should be effective, account must also be taken of the desirability of affording to the public as much notice as possible to enable them to leave the streets. The familiarity of the people with a curfew can be an important factor in this connection. If they are more or less expecting the curfew and know precisely what it involves, they are likely to be able to comply with it far more readily than if it is unfamiliar and unexpected.

April 6/7th

257. Hong Kong had not known a curfew for many years; the police and others had to allow for this unfamiliarity. Very soon after the outbreak of violence, however, consideration was given, as the Commissioner of Police told us in his evidence, to the imposition of a curfew. The senior police commanders concerned advised that a curfew was desirable in view of the deteriorating situation but, in deciding on the time when it should come into force, consideration also had to be given to the interval required to obtain the necessary order, to the period of warning which the public would require, as well as to the question of how soon the police, already so fully committed in dealing with the riotous crowds, would be able to enforce it. The decision to impose a curfew, its duration and its timing are the sole responsibility of the Governor, taken, of course, after considering the advice of the officers primarily concerned. The police advice was accordingly transmitted through the Emergency Control Centre to the Governor, who decided to make a curfew order requiring all persons in Kowloon and New Kowloon to remain within doors from 1.30 a.m. until 6 a.m. and signed Curfew Order No. 1 at 1.07 a.m.

258. The first radio announcement of the impending curfew was made at 1.05 a.m. on the joint service which had been set up by the Colony's three broadcasting stations. The announcement included a warning that anybody who was on the streets in Kowloon or New Kowloon after 1.30 a.m. without a permit was liable to arrest and prosecution. This was broadcast five times between 1.05 a.m. and 1.25 a.m. on both English and Chinese channels. After the curfew came into force, further announcements were made on both channels throughout the night until 5.40 a.m. In all, announcements were broadcast 29 times between

1.05 a.m. and 5.40 a.m. on the English channel and 34 times between 1.05 a.m. and 5.20 a.m. on the Chinese channel.

259. According to the evidence of police officers, everything possible was done by the police in the streets to communicate information as to the curfew to members of the general public, but this task was necessarily incidental to the main task of quelling the riots. They used their loud hailers for this purpose; the public address systems installed on some of their vehicles would have been more effective, but had in at least one case been damaged by stones (see para. 145) and was not available. In these circumstances, and on the basis of the evidence of newspaper reporters and other eyewitnesses, we incline to the view that many in the streets on the night of April 6/7th may not have been aware of the curfew. This was conceded by the Commissioner of Police and Mr. SUTCLIFFE who suggested that, in any case, many people would not be aware of the meaning of a curfew but that the discretion given to police officers in respect of persons involved through no fault of their own was an adequate safeguard.

April 7/8th

260. The Commissioner of Police explained that his decision not to request a prearranged curfew on the night of April 7/8th was based on the absence of any indication from 'intelligence sources' of any organization behind the disturbances and of any information regarding the likelihood of further demonstrations. Moreover it was made in the light of the rapid return to normal life in Kowloon, which occurred during the day, and his desire to emphasize this return to normality and to avoid unnecessary inconvenience to the public.

261. In the event, all preparations were made, but no curfew was actually requested until rioting had broken out again. By this time, people were in cinemas, the normal night life of the town was in full swing and it was very difficult to impose a sudden curfew. Consequently, it was announced that a curfew would again run from 1.30 a.m. to 6 a.m. and this was broadcast twice on the joint radio service. The Governor, however, decided that an earlier curfew was necessary and at ten minutes past midnight signed Curfew Order No. 2, imposing a curfew over the same area as on the previous night from 12.30 a.m. until 6 a.m. This was broadcast four times between 12.15 a.m. and 12.30 a.m. and repeated 29 times in English and 23 times in Chinese during the curfew period.

262. Information supplied to us by the Government Information Services indicated that rumours were current during the day that a further curfew would be imposed that night. Some pains were taken to deny these rumours, as evidenced by messages passed out on the teleprinter to radio stations and newspapers between 6.15 p.m. and 10.30 p.m. The emphasis on the decision that 'a curfew will only be imposed if it is necessary i.e. if disturbances break out', no doubt helped to reassure those whose plans and avocations might otherwise have been interrupted in

anticipation, but it must also, of course, have tended to increase the numbers in the street.

263. With the aid of hindsight, both the Commissioner of Police and Mr. SUTCLIFFE agreed that if a curfew had been imposed earlier in the evening of April 7th the disturbances of that night would probably have been avoided. We were impressed, however, by their concern to avoid undue disturbance to the life of the community, which would result from a preventative curfew.

April 8th and 9th

264. On these two nights prearranged curfews were imposed from 7 p.m. to 6 a.m. and from 9 p.m. to 4 a.m. respectively. These earlier curfews were recommended because, after two nights of rioting, the importance of taking all necessary precautions to avoid further outbreaks outweighed the inconvenience to the general public and in particular the heavy financial loss to shops and other businesses in the areas affected. The later curfew on April 9th was justified by the lack of serious incidents on the previous night and was intended to allow as many people as possible to complete their normal business.

265. On the 8th April, warning of the curfew was broadcast at 3.50 p.m. and a further 20 times on the Chinese and 23 times on the English service before 7 p.m. On 9th April, an announcement of the imposition of curfew was first broadcast at 11.53 a.m. and repeated frequently throughout the day. In addition, the advance warning given of the decision to impose curfews enabled steps to be taken for cinemas to be closed, for public transport companies to be alerted and for police to warn crowds in the streets. As a result, enforcement of the curfew was very effective and no criticism of lack of warning was forthcoming from the public.

Conclusion

266. We appreciate that in the circumstances pertaining on April 6/7th there was no alternative to the imposition of a curfew at short notice. Inevitably, with a sweeping measure of this kind, individual cases of hardship may occur but the number released without charge by the police indicates that a considerable measure of latitude was allowed and, of course, for others there would be an opportunity when they appeared in court to put forward any mitigating circumstances. In the light of what occurred on the succeeding night, it would certainly appear that an earlier curfew on the night of the 7/8th might well have avoided some of the trouble which occurred on that evening but as against that, those responsible for imposing the curfew had to weigh the disruption of ordinary life, discomfort, difficulties and loss of business which inevitably flows from the imposition of a curfew. One must also bear in mind that this decision had to be made at a time when it was by no means obvious that there was going to be a repetition of the trouble of the previous night. We are satisfied that the right action was taken on the 8th and 9th

in respect of the prearranged curfews. Whilst emphasizing the advantages of limiting as far as prudently possible the geographical boundaries of the area placed under curfew, we realize that in this as in other related matters, those responsible for recommending or ordering the curfew can be guided only by the circumstances presented to them at the relevant time.

267. The promulgation of a curfew throws up some problems but the primary object is quite clear. Since the aim and purpose of the measure is to get people off the streets and behind doors, it is clearly necessary to bring that obligation to the attention of everybody concerned as quickly and clearly as possible and highly desirable to allow ordinary law-abiding citizens an adequate opportunity of complying with it. If inadequate notice is given or insufficient measures taken to promulgate it, not only does the measure fail to achieve its aim but it can lead to much friction and recrimination with the ordinary law abiding citizen. We are satisfied that on the nights in question everything possible was done to inform radio listeners. That this was an effective way of spreading the information, emerged from a number of witnesses who, although they had been in the street most of the time, learned of the curfew by this means either secondhand or directly when they temporarily visited some premises. But getting the information across to those in the streets can present considerable difficulties and it may well be desirable to examine more fully the possibility of using for this purpose public address systems on helicopters as well as on vehicles.

268. Opinions may differ as to the desirability of flashing the message on cinema screens. The Commissioner of Police and others indicated that, if the notice was short, a measure of this kind might cause some panic and lead to unnecessary accidents, a view that is strongly supported by some of the Commissioners but, certainly if adequate time is available, this could be a very effective way of spreading the news. Requests to hotels, restaurants, ferries, ships, etc. to make it generally known might also be helpful.

269. Some Commissioners feel that in view of the importance of curfew in combating disturbances, Government would be well advised to make some senior civil officer responsible for ensuring that all reasonable steps are taken to inform the community of curfew decisions, and that the police force and the Information Services Department should not alone be left with this responsibility, particularly as the police may be already heavily engaged in dealing with trouble in the streets.

CHAPTER 3. USE MADE OF MILITARY FORCES AND AUXILIARY DEFENCE UNITS

Military Forces

270. Since we heard no criticism in evidence of the use made of military forces during the disturbances and since the troops actually deployed did not fire any ammunition, we did not call for direct evidence from military commanders.

271. However, we did examine a detailed written statement summarizing the assistance given by the Army and in reply to our questions we received further information in regard to this from counsel for the Armed Forces, Major A. C. RILEY, DAD/ALS. In addition, both the Commissioner of Police and Mr. SUTCLIFFE answered a number of questions relating to the general principles governing the use of military forces for internal security and the circumstances in which military assistance was called for and given on this occasion.

272. From the information thus made available to us it would appear that the police procedure for obtaining military aid is adequately defined and well understood by commanders in the field and that, under the circumstances which prevailed at the time, the decision to ask for military aid was amply justified. Liaison between the police and the military was very effective and the transition to combined operations appears to have taken place without interruption in efficiency.

General role in relation to Internal Security

273. The military forces in Hong Kong, both regular and volunteer, are charged with an internal security role together with their other functions, and the manner in which this role is carried out appears to have been thoroughly tested in practice. The basis of the working arrangement between the Police and the Military is laid down in a joint directive on the command of security forces and amplified in the Emergency Manual of the Police Force, both of which documents were supplied to us.

274. The principles on which joint action is based and the steps usually followed may be summarized as follows:

(*a*) H.Q. Land Forces are informed as soon as a threat to internal security has arisen.

(*b*) Arrangements may then be made between Police and Military commanders for joint Pol./Mil. operations rooms to be established and for troops to be prepositioned in readiness. This is a mutual arrangement between the police and military commanders and does not require higher authority.

(*c*) When, in the opinion of the Commissioner of Police, the threat to internal security occasioned by a disturbance renders military aid advisable, he requests the Governor to call on H.M. Forces to aid the civil power, as their deployment is ensured by his authority, though their actual intervention in individual instances must be justified by law and dependent on circumstances.

(*d*) When H.M. Forces have been called in by the Governor, the Police and Military forces work in liaison under a joint H.Q. command. The Police remain primarily responsible for the maintenance of law and order unless

a formal handover is made to the Army either generally by the proclamation of martial law or in a particular locality by the officer in command of the police in that area at the time.

(*e*) Military assistance may be in the form of a military force dealing independently with a given situation at the request of the Police. In this case the military commander will be in sole command. Alternatively, in the case of a larger incident, a joint command may be set up and tasks allotted to the respective forces over which the respective commanders remain in control throughout. At no time do Police Officers give commands to troops nor do Army Officers give commands to police unless the military forces have taken over complete command.

275. The fundamental point for our purposes is that the use of military forces in riot suppression in Hong Kong is based on principles which do not connote a situation where the Police have lost control and been obliged to hand over responsibility and command to the Military.

276. The timing and the way in which military strength is brought to bear does, of course, involve the exercise of careful judgment. Whilst appreciating that the circumstances underlying the riots here in 1956 and in 1966 were very different, it is not without significance that in the latter there was a much earlier use of military forces and an earlier collapse of the riots; but, the enhanced capacity of the police force to deal with riots, the fact that it was so much better prepared for such an eventuality on this occasion and the nature of the riots themselves were, we think, very potent factors in bringing these riots to such a comparatively speedy end.

Military Assistance—April 6/7th

277. The evidence indicated that the military authorities were informed of the situation in Kowloon from the time that DEF companies were formed in the early morning of 6th April and we note that the Chief of Staff attended the CP's conference at midday. Thereafter, in the light of the scanty information available to the police regarding the likelihood of further disturbances on the evening of the 6th, we think that adequate arrangements were made to prepare the military forces for deployment to police stations if necessary.

278. The first step taken was at 2 p.m., when 'A' Company, 1st Bn. The Queen's Own Buffs was put at one hour's notice to return to Kowloon from exercises in the New Territories. Subsequently, after the outbreak of rioting, other troops were ordered to police stations or barracks in Kowloon and Hong Kong Island, and the Commanding Officers of The Queen's Own Buffs and the South Wales Borderers arrived shortly before 2 a.m. in Kowloon Police Headquarters and Central Police Station, Hong Kong Island, respectively. The Queen's Own Buffs

arrived in barracks in Kowloon before 3 a.m. and were partially deployed in support of the police from 3.15 a.m. Further troops arrived in Kowloon from the New Territories during the early hours of the morning.

279. The Hong Kong Regiment, a volunteer force which includes reconnaisance squadrons and other units trained in internal security duties and integrated with the regular forces in this role, can be called out in case of emergency by a proclamation of the Governor under the Royal Hong Kong Defence Force Ordinance. On this occasion, the Commanding Officer was notified at 1.15 a.m. on April 7th that embodiment of the Hong Kong Regiment was likely and at 3.15 a.m. the regiment was called out. However they played no part in the events of the first night of rioting.

April 7/8th

280. During April 7th arrangements were made for the immediate deployment of troops to police stations as soon as information was received of crowds gathering and for other units to remain in barracks on standby. The Hong Kong Regiment, 95% of the members of which had reported for duty before 5 p.m., and the Queen's Own Buffs were deployed to Police Stations in accordance with this plan and at 11 p.m. a number of troops were already employed on cordon point duties.

281. Thereafter, a number of regular and volunteer units were committed to assisting the police and in one incident a platoon of 'B' Company, The 1/2 Gurkha Rifles had bottles thrown at them, when sent to disperse a crowd at Bute Street telephone exchange.

April 8/9th and April 9/10th

282. Similar arrangements were made on these nights for deployment of troops on curfew duties and other tasks in support of the police and for adequate reserves to be held on standby. The Hong Kong Regiment was disembodied at midnight on April 11th when the threat of further disturbances had vanished.

Comment

283. *The Regular Forces.* It is evident that the standing arrangements for calling on military assistance worked well and we believe that the deployment of military forces gave substantial relief to the regular police and contributed markedly to the quelling of disorder within a reasonable period of time and without requiring the use of undue force. We also think that the presence of troops on the streets had a sobering effect on the crowds and contributed to the maintenance of public confidence in the Government's ability to restore order.

284. The main question which exercised our minds in relation to the use of troops was whether the Police Commanders were justified in deciding not to call

for military support at an earlier stage. In this connection, we noted that the military authorities were informed at 6 p.m. on 6th April that troops exercising in the New Territories need not be called into Kowloon in readiness. We were told that this decision was taken in the absence of any information that large scale disorders were likely to occur and was influenced by the fact that the troops were engaged in a long prearranged exercise. We agree that a case was not made out for cancelling the exercise and calling in troops before the outbreak of disturbances, in view of the steps already taken to warn the military and of the consequent probability that their assistance could be obtained at reasonably short notice should the situation deteriorate rapidly. We are influenced in so thinking by the subsequently demonstrated ability of the police companies to contain the situation. As in the case of the curfew, it is possible with the aid of hindsight to speculate that an earlier deployment of troops and police on the streets of Kowloon on the night of April 7th might have deterred potential trouble-makers and prevented the renewed outbreak of disturbances. But, in the light of the precautions taken and in the absence of positive indications of further disorders, we have no criticism of the decisions made in respect of the use of regular military forces.

285. *The Volunteers.* It is clear that, although they were not called upon to play a very active part during the April disturbances, the Hong Kong Regiment personnel were of considerable assistance to the police and regular forces, which shows the validity of the decision made some time ago to reorganize the Hong Kong Regiment for an internal security role.

286. The Commissioner of Police confirmed to us that the Regiment could perform a valuable role in an internal security situation, particularly in view of the local knowledge of the personnel and the ability of many of them to act as interpreters and guides. In these circumstances we feel that more use might be made of their services and we suggest for consideration that the mobilization of the Hong Kong Regiment might be advanced to coincide with the mobilization of the Auxiliary Police (i.e. at the formation of D.E.F.). This move might enable a better coverage of street patrols to be maintained after regular police have been withdrawn to form riot suppression companies.

Auxiliary Defence Units

287. We also had evidence of the parts played by the Auxiliary Police and the Auxiliary Air Force.

The Auxiliary Police. We note that the usual close liaison between the regular and the auxiliary force was maintained on this occasion as evidenced by the fact that the Auxiliary Police Staff Officer attended the CP's meeting at noon on 6th April and the Force was alerted and placed on standby from 8 p.m. Mobilization of the Auxiliary Police was ordered at 11 p.m. and the CP explained to us that the transformation of the Police Force into full emergency structure is

dependent on mobilization of the auxiliaries, who take over many of the station and static jobs normally performed by the regulars as well as forming two Emergency Units.

288. We have already referred in para. 201 to the active part played by the Auxiliary Company in one incident, and, in reply to our questions, the Company Commander confirmed that his men had reacted very well to the demands made upon them.

289. *The Hong Kong Auxiliary Air Force.* Some mention was made in the evidence before us of the use of helicopters to observe the formation and movements of crowds on the ground, to report the situation by wireless and to direct police formations. Mention was also made of a useful role played by the helicopter in spotting persons on the roofs of buildings and directing the attention of the ground forces to them. One press report spoke of the attention of the crowds being diverted from attacking a woman in a car by the approach of the helicopter.

290. It would appear that no use was made of the helicopter to broadcast voice messages to the crowds in the streets, e.g. in regard to the curfew. We would suggest that consideration might be given to this in future.

291. *Comment.* The evidence indicates that morale was high amongst members of the auxiliary services involved and that they can play a valuable part in an internal security role.

PART V

PERSONS INVOLVED

CHAPTER 1. THE TWO URBAN COUNCILLORS

292. Imbedded in the general outline of events already recounted are the factors which bear on the position of the two Urban Councillors who were represented before us, Mr. BERNACCHI, O.B.E., Q.C. and Mrs. ELLIOTT.

293. It is clear from his own evidence that Mr. BERNACCHI opposed the Star Ferry Company's application for an increase in fares as unjustified and did not accept the conclusions of the Transport Advisory Committee's report published on 19th March; but neither he nor the Reform Club was in the forefront of the public opposition and his primary concern with the subject matter of our Inquiry came from two occasions, on 5th and 6th April, when he was in contact with a number of the demonstrators. On the evening of the 5th, when looking for Mrs. ELLIOTT at the Urban Council Chamber, they met him and sought his advice. The exact words used in the ensuing interchange have not emerged, and indeed one could hardly expect them to emerge with any great clarity, but it appears that Mr. BERNACCHI, at this stage, gave no encouragement to demonstrations and took the prudent course of suggesting that the demonstrators should approach the Reform Club for guidance. Moreover, two newspaper reporters—though strangely enough not Mr. BERNACCHI himself—recounted to us that at this time Mr. BERNACCHI told the demonstrators that without a police permit a demonstration would be in breach of the law. Whether it was this advice that moved LO Kei to try and protect himself on this flank by ringing up the duty officer at Tsim Sha Tsui and engaging in the conversation about a procession which we have already mentioned cannot be established with certainty, but it seems highly probable.

294. What precisely transpired at the meeting on the following afternoon at the Reform Club is again somewhat uncertain. Individual accounts of what occurred did not tally and even those who were apparently trying to be truthful did not claim a complete and accurate memory of all that was said, made more difficult of recollection, as it undoubtedly was, by the necessity for translation at the time. Without a more complete and exact account of what occurred, it is not possible to say whether there was any justification for the evidence given to us by RAGGENSACK that others present may have found an element of encouragement in what Mr. BERNACCHI and Mr. WONG said; but even if any particular individual there did find such encouragement or was disposed to place greater emphasis on the earlier, rather than on the latter, part of the alleged statement that if they

wanted to demonstrate they could but they would not have the support of the Reform Club, we are satisfied that it was not the intention of Mr. BERNACCHI or Mr. WONG to encourage any such demonstrations or any breach of the law. We think that Mr. BERNACCHI endeavoured to channel off, in the direction of a public meeting at the Stadium at a later date, the current enthusiasm of these young people for street demonstration. Whether, in view of what happened on the two succeeding nights, that meeting would itself have achieved a valuable purpose or might indeed have led to some trouble of its own is a matter on which it is not profitable to speculate. It may be that, looking back on the occasion with hindsight, Mr. BERNACCHI himself might feel some regret that he did not do more to discourage or dissuade these young people from going out into the streets at this juncture because, whatever was said to them, the fact remains that some of them were found guilty of participating in the subsequent disorders. We also feel that, whatever attitude Mr. BERNACCHI had taken at the meeting, it is doubtful whether it could have made any great difference to what followed. For some, the attraction of taking a prominent part in further demonstrations was likely to be far stronger than the minor glory of assisting at the proposed meeting in the Government Stadium and LO Kei was already in Kowloon preparing for a continuation and expansion of the previous night's activities. Mr. BERNACCHI and Mr. WONG cannot be blamed for this situation, and we think that, on the evidence before us, they must be exonerated from any responsibility for the demonstrations and the riots that followed.

295. The problem of Mrs. ELLIOTT is more complex, and, although much of her conduct is really peripheral to the main purpose and substance of our Inquiry, the amount of publicity given to it, which either indicates or has caused considerable public interest, requires that it be dealt with. Our proceedings have indeed been complicated and unjustifiably delayed and prolonged by what may be called the 'Mong Kok allegation' in which she figured so prominently. The allegation, traceable to LO Kei, was to the effect that Mrs. ELLIOTT had paid individuals to participate in the riots. Virtually from the outset of our proceedings, Mr. ROLPH, the Acting Senior Assistant Commissioner who opened the police evidence, made it quite clear that the police at no stage had given any credence whatever to this allegation and counsel for the police took every opportunity to reinforce that attitude. Mrs. ELLIOTT, however, both in person and through her counsel sought to take the matter further and to give currency and credence to an allegation that the police or some members of the police at Mong Kok Police Station had plotted to throw 'blame on her' for the riots and that the allegation by LO Kei was inspired and elicited from him for this purpose. Her main basis for this contention lay in her story that some time after she reached her residence in her school in Prince Edward Road on the evening of the 6th, between 11 p.m. and midnight, she was told by the headmaster that someone at the door had a message for her. The headmaster seems, however, to have treated the matter as one not requiring her presence or her immediate attention; he merely passed on to her a message from

the caller, a message which was recounted to us by Mrs. ELLIOTT on a number of occasions in slightly different forms. Although she had come subsequently to attach great importance to this message, it seems that, at the time, it made no great impact on her; in fact, before us, she appeared to have some difficulty in recalling the exact wording of the message, but the general import seemed to be clear enough in her own mind and was, at any rate at one point, expressed by her as follows:

> 'The message said that some police at Mong Kok would employ "Ah Feis" to throw stones and that I would be blamed.'

In her proof of evidence and on other occasions she used the expression 'Laan Tsai' instead of 'Ah Fei' but claimed that they meant the same thing.

296. Mrs. ELLIOTT's counsel in lengthy cross-examination, which will call for further comment, had sought to find some support for this allegation, whilst in her evidence Mrs. ELLIOTT told us that the same source, during the days immediately following, gave her additional information on two occasions, first that LO Kei was the instrument chosen to implicate her and that he had been beaten into making allegations against her and secondly that, as a reward for making these allegations, he was going to receive a scholarship to enable him to study abroad. Since Mrs. ELLIOTT has described her source as reliable, it would appear that she gave credence to both these pieces of information and saw nothing inherently unlikely or inconsistent in them. As for the first, we are satisfied for reasons more fully explained later that there is no truth in it. As for the second, its own manifest absurdity provides sufficient contradiction.

297. These embellishments would seem to throw grave doubt on the reliability of Mrs. ELLIOTT's source, but she was disposed to place sufficient reliance on the information given to her to write, on 13th May, a letter to Mr. SANGUINETTI, subsequently her counsel, in which she said that she did not expect the real criminals to be brought to court and that she had been informed, though with 'how much truth' she could not say, 'second-hand from a decent policeman', 'related to someone who knew her', 'that the ruffians who entered into the peaceful demonstrations and turned them into riots were '*ah feis*' from black societies, appointed by corrupt police, with the intention of forcing them afterwards to prove that (she) paid them to do it' and that if this was true, the motive was not far to seek; as she had recently reported police and black societies in the area for corruption and drug rackets, revenge was being planned. The letter concluded with a request to keep it, to defend her if accused, and to send the case to JUSTICE[1].

298. One would have expected the recipient of such a letter either to have consigned it to the wastepaper basket and so informed Mrs. ELLIOTT or, if he had taken it seriously, to have ensured or advised that the matter be reported to the authorities responsible for the investigation of crime.

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(1) An unofficial organization of lawyers and others in Hong Kong.

299. Mr. SANGUINETTI, as Counsel, secured from Mrs. ELLIOTT during her evidence agreement to his statement that he had shown this letter to other lawyers, an action which obviously gave currency to the allegations contained in it and indicates, in our view, that he was disposed to give the contents of the letter some credence. In these circumstances, he had an obligation. As the courts have recognized, primarily in connection with misprision cases, the individual has a public duty to bring to the attention of the proper authorities a serious crime of which he has material information. Mrs. ELLIOTT's letter alleges a criminal conspiracy of a grave nature, yet this duty was not discharged either by Mrs. ELLIOTT or by Mr. SANGUINETTI. By reason of his legal qualifications, the latter's failure is more regrettable than that of Mrs. ELLIOTT who, in such a matter, might reasonably have expected more responsible guidance from a member of the legal profession.

300. Mrs. ELLIOTT volunteered to give evidence before the Commission and, through her legal advisers, we were provided with a proof of her evidence. In this she said that she was reluctant to reveal the identity of the individual who had 'warned (her) for fear of victimization', and also went on to indicate some lack of confidence in the police; this was considerable expanded by her in answer to questions from her own counsel, and additional particulars were introduced at this time, making the point that she had given publicity to her accusations, the suggestion being apparently that she was a likely target for a police 'frame up' and that general distrust of the police was a contributory factor to the riots.

301. Counsel for the police, in the course of a lengthy cross-examination, produced a considerable amount of correspondence intended apparently to show; (*a*) that, whilst on occasions Mrs. ELLIOTT did convey information to the police which was helpful to them in their pursuit of crime, she frequently withheld essential information and, on numerous occasions, showed a marked hostility to the police as a whole; (*b*) that her ill-will towards them was quite impervious to the presentation of facts and figures which showed that, in general, they were doing their duty to the best of their ability; and (*c*) that the strained relations between her and the police were widely known and would make her a likely instrument for use by anyone who merely desired to injure the general reputation of the police.

302. In the course of this examination Mrs. ELLIOTT was asked to indicate what was the source of the allegation about a plot at Mong Kok. At first she declined and indeed told us that she knew she would never reveal it; then, following arguments by her own counsel and counsel to the Commission, she apparently changed her mind and said that she thought she might be prepared to do so in closed session but wished to consult her solicitor first. Having done so, we were told, at the end of a session, that she was willing to give information 'in camera' and that it was highly material to our Inquiry. When we returned next morning

to rule on this request for a private session we were told that she had again changed her mind and would give it neither in public nor in private.

303. Counsel for Mrs. ELLIOTT, in arguing that she should not be required to answer the question, advanced three grounds. Since she had indicated in her proof of evidence her reluctance to give this information and had reiterated that reluctance when being examined by counsel for the Commission, it would, he said, now be unfair to make her disclose it. This argument was, in our opinion, unsound. Whatever she had stated in her proof would not give her a right to withhold material information; moreover, in it, she had merely indicated her 'reluctance', which is a very different thing from a determination not to reveal it in any circumstances. She had in fact revealed other information which in her proof she had indicated a similar reluctance to disclose. Counsel went on to argue that, having regard to the test laid down in Attorney General v. Mulholland and notwithstanding the Australian case of McGuinness v. Attorney General of Victoria, the information was not sufficiently relevant to the terms of the Inquiry to justify seeking this information since, unlike the Mulholland matter, the safety of the state was not involved: an argument that came strangely from a source which had done so much to give currency to the allegation in question as being of importance to the Inquiry. This contradiction did not seem to trouble counsel but his argument was, in any event, quite untenable. If there had been any truth in the allegation, it would clearly have been material to our Inquiry.

304. Finally, he endeavoured to argue that since in criminal cases the police are not required to disclose the names of their informers, a protection which is reinforced in narcotics cases by section 23 of the Dangerous Drugs Ordinance, Mrs. ELLIOTT should be entitled to conceal the source of the allegation which she had put before the Inquiry.

305. This is an entirely false analogy. The Police informer provides information to the authorities, sufficiently particularized and identified to enable investigations to be initiated and prosecutions launched, and he provides it for that very purpose. In the present instance, not only was the source and substance of the information deliberately withheld from the authorities and the practical possibility of investigation stifled, but a policeman was being encouraged to disregard his duty and violate the oath which he takes when he enters the police force, whilst still continuing to be employed as a policeman for the very purpose which he was refusing to fulfil.

306. Moreover it is not the mere allegation of the police informer which is put before the court and the public but the facts on which it is based and which have been uncovered as a result of it: the very reverse of the present situation where the allegation was published for the purpose of creating suspicion whilst concealing the source, so that the suspicion could neither be substantiated nor dispelled.

307. Our counsel, relying mainly on the principles propounded by the Australian courts in McGuinness v. Attorney General of Victoria, and by the English judges in the Mulholland and other cases, argued that the question should be answered and we were satisfied that our task and our duty made it necessary to require an answer. Mrs. ELLIOTT again refused and we found her to be in contempt. Our ruling and decision is set out in Appendix 11.

308. By her action, Mrs. ELLIOTT had not only defied the law of this territory and claimed to set herself above it but she had also violated the oath she had taken on entering the witness box when she swore to Almighty God that she would 'true answer make to all questions put to her before this Commission'. Nevertheless, although contempt is punishable by fine and imprisonment, we decided to impose no direct punishment but to let retribution come from public opinion and the censure of those who believe that an oath should be honoured and a promise should be kept and that a policeman should not be encouraged to violate his own oath and to fail in his duty whilst continuing to masquerade—and be paid and employed—as a policeman.

309. To condone conduct such as this can only encourage corruption and other crimes because if falsity and dishonesty is encouraged in one policeman it will tend to be encouraged in another; whilst the creation of a general miasma of suspicion settling and resting on guilty and innocent alike can be helpful to the guilty, because it makes their detection and isolation all the more difficult. No responsible authority here would seek to defend malpractice but those in authority must seek to ascertain the facts because without the facts no progress can be made. The guilty cannot be separated from the innocent by the mere repetition of rumour. In this instance, we met with deliberate obstruction in our effort to get to the full facts.

310. Having found Mrs. ELLIOTT in contempt and in violation of the oath which she took on entering the witness box, we dismissed her as a witness and declined to hear any further evidence from her. Thereafter, her solicitor sought and obtained continued audience before the Commission for her representatives but frankly recognized the propriety of precluding them from seeking to pursue further what he called 'the Mong Kok Plot' allegation. It remains, however, for us to say whether any other material available to us lent substance to this allegation.

311. The main—and in the event the only—prospect for support or substantiation of this allegation was, of course, LO Kei, but this young man's capacity for mendacity and exaggeration was so great that little reliance could be placed on him for corroboration of anything. His evidence had a chameleon-like quality which made it extremely difficult to gather not merely what actually happened but even what he wanted you to think had happened. LO Kei appeared ready to tell any story that seemed to suit the occasion or the approach of his questioner, but he seldom told the same story for long. Nevertheless, even his flights of fancy

provided no corroboration at any time for the first and main part of the alleged message passed to Mrs. ELLIOTT, for he never suggested that he had been paid by the police to get into the riots; whilst any corroboration of the later part of the message about blaming Mrs. ELLIOTT, in whatever sense that must be understood, was hardly less elusive. Some of the difficulty comes of course from the vagueness of the allegation itself. 'Blame her'; in what sense? Was it for being one of the main contributors to the events leading up to the demonstrations and riots, or for having actually paid someone to participate in or start stone throwing?

312. As so often happens with a story that has no basis of fact, LO Kei's allegation of pressure by the police tended to alter and change as questions continued. At one stage he talked of being forced to make oral statements, whilst earlier he had talked for being forced to sign a statement prepared by the police to the effect that Mrs. ELLIOTT had paid him; but efforts to ascertain more precisely what was in the statements, and when and how they came to be made, seemed never to end in any point of certainty. The evidence of Mr. IBBITSON and other police officers, which we believed, showed that there was no such signed statement but that there was a document consisting of a rough note made by Mr. IBBITSON of what LO Kei had said during a period when he was letting fancy take virtually complete control of his tongue. In this note there was a mention of Mrs. ELLIOTT and Mr. BERNACCHI in some such role. It stated that they planned that LO Kei should take the lead in demonstrations and in making a petition to the Governor; spoke of the Governor being overthrown and of Mr. BERNACCHI becoming Chancellor with LO Kei being given a prominent role, becoming international news and a well-known man of the world; followed by wild talk about thousands and thousands of demonstrations and riots.

313. In his evidence LO Kei told what appeared to be almost equally fanciful stories about being beaten, receiving thousands of blows from 20 or 30 policemen lined up for the purpose, evidence which in itself was difficult to credit, even if it had not come into conflict with the evidence given by a prison doctor and by Messrs. IBBITSON, O'BRIEN and TAYLOR. The latter three officers were in contact with him at the relevant time, and although their evidence contradicted his allegations about beating it was not made the subject of any cross-examination on these points by Mrs. ELLIOTT's representatives. Counsel for Mrs. ELLIOTT had been at pains to obtain from LO Kei statements alleging that Mr. IBBITSON had suggested to him the allegations he had made against Mrs. ELLIOTT and Mr. BERNACCHI. When Mr. IBBITSON gave evidence refuting these statements, Mrs. ELLIOTT's counsel did not attend the hearing and her solicitor was content merely to put a few questions to him on entirely different matters—a remarkable performance if it was sought to attach any weight or credence to this part of LO Kei's evidence. The prison doctor was cross-examined on this matter but we saw no reason to doubt his testimony that, on inquiry when admitted to prison on 12th April LO Kei made no complaint and that when medically examined on the 15th, the

day after the Court found him guilty of participating in the riots, no sign of bruising was found although such sign would have been visible if a beating such as that alleged had occurred within the previous 14 days.

314. Mr. HEATH's and Mr. SUTCLIFFE's evidence of seeing LO Kei in good spirits at about this time, and of a conversation with him in which he made no complaint, was also very difficult to reconcile with the suggestion that he had been severely beaten shortly before. We do not believe this allegation.

315. In our opinion the substance of LO Kei's evidence could not, in itself, lend any weight to the suggestion that there was any truth in the message which Mrs. ELLIOTT claimed to have received. There was no other material evidence on the point.

316. There remains however the question whether the mere fact that he, during the course of the 7th, did say something, however vague, however changeable in form and however elusive and contradictory in content, about Mrs. ELLIOTT paying people to throw stones, indicates that there was some truth in the alleged warning. In the realm of speculation to which Mrs. ELLIOTT's refusal to speak the whole truth has confined us, one could think of more than one way, apart from pure coincidence or the possibility that each of these events had a common source, which could have led to the occurrence of both without providing any justification for the so called warning but there is little to be gained from mere speculation.

317. One thing is clear, that LO Kei's allegation of direct participation in organizing the riots by Mrs. ELLIOTT did not receive credence from responsible officers at Mong Kok and that—far from trying to exploit it—they were at pains, in the course of a lengthy examination, to expose not only the absence of any grounds whatever for his assertion but also the clutter of inflated fantasy from which it emerged. This task was completed by the afternoon of 7th April, before the receipt by Mrs. ELLIOTT from her 'credible' source, who apparently claimed he could find no other 'honest' policemen to whom to tell his story, of those further messages about beatings and a scholarship which, in her opinion, provided confirmation of the earlier warnings.

318. Before quitting this aspect of the matter it is necessary, however, to refer to one further factor which has both lengthened our task and made it more difficult to discharge.

319. During her evidence, Mrs. ELLIOTT informed us that it had never been her intention to reveal the source of the allegation about the 'plot at Mong Kok' and from that attitude her counsel never sought to dissociate himself before us or to suggest that it formed no part of his instructions on the matter or matters which brought him before the Commission. Nevertheless counsel, from the outset and throughout a period of many weeks, devoted his energies not merely to the perfectly proper, if simple, task of showing that the allegation, traceable to LO

Kei, of his client's direct participation in organizing the riots was untrue but to the additional and different purpose of propagating and giving impetus to the anonymous allegation against the police at Mong Kok.

320. Unlike a court, which is primarily concerned simply with the discharge of the burden of proof, a Commission of Inquiry is required to ascertain the facts relevant to its terms of reference. It is the very negation of this purpose deliberately to withhold information of such facts and the mischief is accentuated if the Commission is concurrently used to ventilate rumours and sow suspicion whilst withholding the facts which can determine their validity. The conduct of counsel who lends himself to such behaviour when he is, or should be, aware of his client's intentions, calls, in our opinion, for condemnation.

321. We do not for one moment think that there was any truth in LO Kei's allegation that Mrs. ELLIOTT participated directly in the organization of the riots nor was it shown that this accusation was inspired by anything but his own foolish fantasies. Putting this entirely on one side, there remains the question of how far Mrs. ELLIOTT's previous conduct contributed to the demonstrations and the riots which followed them.

322. Mrs. ELLIOTT did not start the opposition to the ferry fare increases but she lent impetus and a personal slant to the campaign against them. This was done, she told us, in order to give voice to the feelings of the people, but it must also have had all the attractions of an opportunity to put herself at the forefront of a cause that was likely to be popular even if not of major significance to the welfare of the community. She certainly did much to promote the feelings that this was a matter which should be determined not by a group of experienced and knowledgeable people examining and analysing the economics of the problem, with proper regard for the interests of all concerned, but only in accordance with the feeling of the less well-informed, after steps had been taken to animate those feelings by putting the simple question 'Do you want a rise in transport fares or do you not?'

323. In taking office on the Transport Advisory Committee, it would seem that she recognized in this no fetter on the continuation of the campaign against the proposal and that she continued to regard herself more as an advocate for the opposition than as an adviser bringing a detached and impartial mind to a balanced consideration of the issues involved. Her appearance in the mantle of adviser may well have tended to give greater public weight to her pronouncements. It would seem, however, that she never saw herself in the role of anything but a partisan and, not content with that, accused her colleagues of being biased and lacking in impartiality: an accusation which, having regard to the lack of justification for it revealed by her evidence before us, cannot be regarded as anything but ill-founded and despicable. It was, however, a charge that received considerable publicity, as indeed had the whole of the campaign against the proposed increase;

publicity which an experienced social worker with a wide knowledge of the problems of the under-privileged told us was, he thought, out of all proportion to the real significance of the issue in the life of the Colony compared with those things which really hurt the community; narcotics, illegal gambling, etc.

324. There can be little doubt that in early April of this year, public opinion on this subject of the ferry fares was highly sensitive and since large sections of the public had been encouraged to believe that their interests and views were being merely ignored and flouted, there was a danger that feeling was being raised to a height where some sort of outbreak would occur. The campaign of opposition, which was continued after the making and publication of the Transport Advisory Committee's report, was likely to have and did have that effect. When the demonstrators went out into the streets they clearly wanted to disrupt, to some extent, the ordinary rhythm and routine of life in the streets, so as to draw attention to themselves and their cause: and disrupt it they did.

325. Well meaning people who do things which have unfortunate results, cannot, we think, escape all responsibility by pointing to their good intentions. A measure of forethought, care and wisdom, combined with some anxiety as to what may result from their efforts, is not merely desirable but necessary and is implied in that sense of responsibility which should be borne by those who seek to influence or guide public opinion. Mrs. ELLIOTT by her previous actions, including the attack on the integrity of her colleagues, and by the motivation and the measure of encouragement which she gave to the youthful demonstrators up to and during 5th April, made a significant contribution to the subsequent events however little she may have desired them.

326. She seems to have had very little appreciation of the dangers that were developing. Although the police had sensed early in the day of the 6th that the atmosphere was explosive and that a continuation of the previous night's activities might produce disorder, and had mobilized their forces accordingly, she seems to have been oblivious of this. Before us she was highly critical of the efforts made by Government on the 6th to explain the position by means of leaflets yet she did nothing herself, at this stage, to stem the tide of events. Whether she could have done anything effective is, of course, problematical. Whether if the commendable[1] message which, recognizing her measure of involvement, she sent for broadcasting on

(1) Sir Lindsay RIDE has strong reservations about this description of the message, not because such description is not or may not be true but because (*a*) the evidence before us concerning the subject matter and motive of the message was not sufficient to convince him that it is a true description, and that Mrs. ELLIOTT's own behaviour before the Commission made it impossible for him to satisfy himself that other less commendable motives could not be deduced from the wording of her message; and (*b*) he feels that in the delicate situation that exists in Hong Kong today, it is too dangerous and wholly inadvisable to allow some members of the public to gain the impression that they—no matter how well-intentioned—can play with fire, and then win commendation after the conflagration has started, by publishing an untested explanatory atonement.

the 7th, had been sent on the 6th or even addressed to the young demonstrators whom she met that afternoon outside Mr. BERNACCHI's office matters might have taken a different course we cannot say; though we think it very doubtful. The fact remains, however, that, at this stage, she did nothing, and when, later in the evening, she came out of the Princess Garden Restaurant and saw a crowd of youngsters some 15 strong, carrying a banner which she thought read 'Support Mrs. ELLIOTT', who were marching south in Nathan Road in a very rowdy manner looking, she told us, as if they could become violent, she made no attempt to dissuade them but got into a taxi and headed for home; northwards up Nathan Road where, at about 10.15 p.m. near Gascoigne Road, she passed a police vehicle and its crew, who were being stoned, and found the highway littered with stones: a sorry outcome of a campaign which, even if well-intentioned, seems in the ultimate analysis to have produced unfortunate results.

327. Nevertheless, although one may properly expect individuals to learn from individual errors and may hope that an error, once recognized, will not be repeated, we have little doubt that the community at large and the Government will find it more profitable not to dwell on whatever evanescent individual errors led or contributed to the riots but to concentrate attention on the matters mentioned in the concluding chapters of our Report.

CHAPTER 2. DEMONSTRATORS AND RIOTERS

328. For the purpose of determining the relationship between the earlier demonstrations and the subsequent disorders we have endeavoured to trace as accurately as we can the individual paths pursued by the more prominent amongst the earlier demonstrators in so far as these have been disclosed by the evidence before us. From SO we were unable to get testimony. He decided to turn his appearance before us into an exhibition and refused to take an oath because, he said, of the lies told by others when under oath and no oath was necessary for him. But, as he seems to have played little or no part subsequent to the afternoon of 6th April, we may not have been deprived of evidence of any great value. Two stand out amongst the other demonstrators, RAGGENSACK and LO Kei, and their activities are worth following in some detail as are, we think, also those of LEE Tak Yee, AU YEUNG Yiu Wing and HOR Wan Wah. Evidence of their movements came mainly from themselves and was by no means entirely reliable; LO Kei in particular appeared to have little or no regard for truth or consistency and his testimony was frequently in conflict both with itself and with that of more reliable witnesses. Moreover, a number of these witnesses had been together in Chi Ma Wan Prison for some time and had discussed these matters extensively amongst themselves. Their evidence gave the impression of being coloured by such conversations; but, making allowance for these and other distortions and inac-

curacies, we think we have been able, with the help of some confirmation from other sources, to get a broad and reasonably reliable impression of what these five young men were like, and of the part they played in the disturbances. It is not necessary to set out in detail the activities of other participants, but in Appendix 12, we summarize the reasons advanced by those who gave testimony before us, as to why they came to be involved.

Brian Edward RAGGENSACK

329. RAGGENSACK was born in Hong Kong in 1946. He was brought up by his mother, and during his upbringing apparently had no contact with his father. At the time of the disturbances he was living at Kimberley Road in Kowloon with his two sisters and an aunt. What little schooling he had, began when he was seven years old, but from the age of about nine to fourteen years he was working as a door boy or a waiter. In 1960, he went back to an evening school for three months, the fees being paid by a friend of his mother who ceased to pay in the fourth month. Thereafter, he worked as a door boy at a bar in Kimberley Road, and as a singer for a short period at a nightclub. He worked for a month at the President Hotel in 1964 and at the time of the disturbances, was working as a freelance tourist guide where his earnings fluctuated greatly, within the range, apparently, of $100 to $700 per month. He had had an earlier brush with authority in February of this year, when a larceny charge resulted in his being bound over.

330. His early appearance at the Star Ferry with SO Sau Chung has already been noted (para. 83). According to him, he made, at SO's request, a speech urging people to support the fight against the Ferry Company, not necessarily by hunger striking but by petition, letters, etc. His appearance at the Star Ferry was due, he told us, to his interest in the proposed rise in ferry fares and rises in other things like rent and bus fares. What he had read in a newspaper about SO Sau Chung's hunger strike had captured his imagination and his observation of SO has already been recounted. He was well to the fore in the visit to Government House, following SO's arrest, at the meeting with Mrs. ELLIOTT and Mr. BERNACCHI, in the visits to the Central Police Station and to SO's parents, and in the subsequent marches in Kowloon, at least the first of which he led with LO Kei. RAGGENSACK admitted that it was he who suggested turning back the first time at Bute Street but, generally in his evidence before us, he seemed anxious to present LO Kei as the principal leader at this stage. Having recounted the speeches made by LO Kei and himself, when they returned to the ferry concourse, he spoke of a change in the mood of the crowd, and claimed that his participation in the further march northwards was only half-hearted and that when the crowd left Li Cheng Uk it was, he thought, a different type of crowd from that at the Star Ferry; this latter consisted mainly of his friends, while the crowd after leaving Li Cheng Uk seemed to be less interested in the Star Ferry issue. On seeing the police shortly afterwards he and his group, according to him, detached themselves, at his suggestion,

from the main crowd and he finally left it at the Astor Theatre, making his way back to Kimberley Road, where he did not arrive until 4.30 a.m., which seems strangely late if he left the crowd before the final incidents at Tsim Sha Tsui, where, indeed, LEE Tak Yee claimed to have seen him.

331. He told us that LO Kei and another boy had been prominent during the evening in making arrangements for the following night, but he himself was on the telephone to a newspaper reporter next morning, and, in response to the latter's inquiry, said that a big demonstration was being organized for that night which would entail a two-pronged march in Nathan Road, with some of the marchers coming down from Lai Chi Kok and another group starting from the Tsim Sha Tsui area. According to the reporter, he went on to say that he had been in contact with 'the boys' in various resettlement estates and with certain 'cells'.

332. RAGGENSACK seems to have taken a fairly prominent part at the Reform Club meeting. He told us that his own impression of the attitude taken by Mr. BERNACCHI and Mr. WONG towards demonstrations was that it was none of the Reform Club's business if they continued to demonstrate, but the support of the Reform Club would be given only to the meeting at the Stadium. He maintained that there was no discussion at the meeting or afterwards about arrangements to meet again at 8 p.m. on the Kowloon side (cf. para. 346) or about further demonstrations (para. 126). The subsequent walk along Kennedy Road and the visit to Rediffusion have already been mentioned (para. 127). After dinner with Miss LUI—which she also mentioned—he returned with her, he said, to Kowloon by the Jordan Road Ferry, intending to take a bus home but they found the buses had already ceased running. He said this was about 11.15 p.m. although other evidence suggested that it might have been much earlier and, according to Mrs. ELLIOTT, he told her on the 7th that his dinner with Miss LUI was in Nathan Road. Anyway, according to his evidence before us, after arriving from the island and finding the buses stopped, he and Miss LUI went to Nathan Road where he inquired who was leading the crowds and learned that it was LO Kei, to whom he tried to get a message about the meeting arranged at the Stadium. He spoke of the Police firing tear-smoke and some of the crowd being there just for fun; running when the tear-smoke was fired 'just like play'. Some were just shouting and yelling, he said, and some were holding up the signs; different signs, he claimed, from the previous day but with the same slogans against the ferry fares and gambling. He learned that LO Kei had three separate crowds there, at Mong Kok, at Waterloo Road and near the Astor Theatre, where, he went on to say, he saw LO Kei who was 'on the riot'. From the corner of Saigon Street he watched the crowds, whilst waiting for a reply from LO Kei which did not come. Later he became, he said, the leader of a small group belonging to a crowd about a hundred strong; these were people that he knew and, after asking them to separate from the main crowd, he took them down to Kimberley Road where, he claimed,

they 'split up' and he went home. But under further questioning, he somewhat reluctantly admitted that he saw some people in the group throwing stones and that he suggested to those about him—he said about 10—that they should break windows in the President Hotel, against whose management he had a grievance over money claimed by him. Apparently no stones were actually thrown as the police arrived and he went home.

333. When in the crowd he heard, he said, people shouting 'Why did they fire tear-gas?'. 'Why did they beat a young kid?' When asked about his own feelings or reasons for joining in, he gave an answer that was difficult to follow but which seemed to imply that he kept away from LO Kei on the second night because he thought LO Kei was breaking the law but hoped his own activities did not.

334. He was arrested or asked to go to the Police Station next day, having apparently been recognized during the incident outside the President Hotel. He was charged with, and convicted of, rioting. At the hearing on 13th April, according to the court record, he admitted that at about 10.30 p.m. he had been with LO Kei in Nathan Road leading a crowd from Tsim Sha Tsui towards Yau Ma Tei and that, when LO Kei shouted to the crowd asking if they were afraid of the police, tear-gas, grenades or bullets, RAGGENSACK led the crowd in shouting they were not. Having heard him, we have no reason to doubt the validity of his conviction or the accuracy of the admission in that record, which would appear to give a sharper edge to the picture of his activity in Kowloon that evening.

335. In the course of his evidence he seemed, at one time, very ready to respond to the suggestion that there might have been some organization behind the demonstrations and riots. He spoke about a skinny man with spectacles whom he had seen with SO at the ferry on the night of the 4/5th and who, he said, came up to him again when the demonstrators on the evening of the 5/6th were back at the Ferry Terminal; this man then told him something about 'if I continue in a loyal way together with the crowds, I would not be forgotten.' His evidence on this had, however, an evasive, elusive and insubstantial quality that did not carry conviction.

336. He was emphatic that he had not, before the evening of the 4/5th, known LO Kei, SO or Miss LUI or any of the others whose names he had mentioned.

LO Kei

337. With a witness so indifferent to truth as LO Kei, it is difficult to know what degree of credence can be given to any part of his testimony, but there seemed to be little reason for him to lie about his earlier years which he described as follows. He was born in May 1947 in Hong Kong. He attended primary school in Canton between 1953-59 and then returned to Hong Kong where he lived with his mother until she died, having committed suicide in 1963. After her death he

lived with his aunt but, at the time of the riots, he was living in a rented cubicle with a friend at Ma Tau Kok Road, Kowloon. His father, who seemingly remained all the time in China, died there in 1961. In Hong Kong he went to middle school for a year and a half; then to two other schools and finally to a technical school finishing in 1964, by which time he had reached Form Four. Before us he showed, when he wished, a good command of English.

338. He said that after leaving school he worked as an apprentice at the South Sea Textile Factory staying for one month; and at Kon Tak Hon as a delivery boy, delivering kerosene, for five days; on 15th January 1965 he applied unsuccessfully to join the Police Force, but later he worked as an apprentice at the Sun Sun Weaving Factory for one month, at the Tai Tung Textile Factory for less than three months; in the Cathay Textile Factory for half a month, and then on 28th June, 1965 he moved to the Mayer Aluminium Co., resigning from that post five days after the 1966 Chinese New Year. Between that period and 4th April, 1966 he had also worked in a garment factory, a shoe factory, as a packer at another garment factory and as a broker at the Wah Seung Chinese Merchants Import/Export Company. His daily earnings ranged between $4.70 minimum and $11.70 maximum and his average earnings came to approximately $130.00 to $250.00 a month. He said that he left a job to take a new one whenever he found one better. With foremen, he said, he frequently had trouble as their system of working was unreasonable and he could do better on his own. Sometimes, he said, he had to work from 10 a.m. to 10 p.m. and he thought working conditions in general were poor.

339. On 5th April he crossed from Kowloon by Star Ferry with the intention, he said, of seeing a firm of solicitors about a flat valued at approximately $40,000.00, which his mother had left him. It was the holiday of the Ching Ming Festival. He spoke of chatting with two European reporters who sat near him on the ferry; to them he said that he was going to see his solicitors about opening a casino in Yuen Long. One of these reporters mentioned that someone was staging a 'hunger strike' in opposition to Star Ferry increases and inquired whether LO Kei was going to take part in it but he replied in the negative, although he had read something about the strike in the morning newspaper and, seeing nothing illegal in it, was prepared to give all his support to the striker as he thought the Star Ferry fare increases might bring on a 'chain reaction'.

340. On reaching Hong Kong, he noticed in the Ferry concourse a small crowd surrounding the hunger striker, and people shaking his hand. LO Kei said that, on a sudden impulse, he did likewise in order to encourage SO, whom he had not met before; he then offered to join SO. He got SO to write some characters on his own red jacket meaning 'opposition to ferry fare increases' and 'opposition to gambling'. RAGGENSACK then joined them and made his speech which was followed shortly afterward by SO's arrest, when SO and RAGGENSACK moved closer to the main turnstiles.

341. LO Kei learned of the arrest, he said, from RAGGENSACK but confirmed that the move to Government House (para. 92) was made at his own suggestion and that he handed to the A.D.C. the petition received from RAGGENSACK, although LO Kei claimed before us not to have known who wrote it. He said that the people accompanying them to Government House included reporters and detectives. He and RAGGENSACK with two others travelled in a taxi, the rest went on foot. The subsequent move which led to a meeting with Mrs. ELLIOTT and Mr. BERNACCHI outside the council chamber was, according to LO Kei, suggested by him in order to see either Mrs. ELLIOTT or Mr. BERNACCHI and he went on to tell us that he knew Mrs. ELLIOTT was a promoter of the drive against the Star Ferry fare increase and that Mr. BERNACCHI was a man who gladly helped the working class with advice about the law. The visit to the police station and LO Kei's telephone conversation with the Duty Officer at Tsim Sha Tsui have already been recounted (para. 96). The impression that this conversation was intended to provide some cover of legality for the subsequent demonstration is borne out by LO Kei's statement to us that he announced, in answer to questions by reporters outside the Central Police Station, that he had police permission to hold a procession and, in saying so, had this conversation in mind. RAGGENSACK gave evidence of hearing LO Kei at this time speaking softly over the telephone and saying 'Sir, SO is arrested now', followed by 'Well, he is in Central Police Station. Mrs. ELLIOTT is here already, Have one European boy this time', and then, 'Shall I carry on?' This sounded like a very different conversation from that recounted by the Duty Officer but we could get no further evidence of it and doubt if, merely on the strength of RAGGENSACK's account, it could be interpreted as indicating the existence of some wider planning.

342. Be what as it may, LO Kei claimed that, after the visit to the police station and to SO's house, he, RAGGENSACK and Miss LUI were accompanied by reporters and detectives when they crossed to Kowloon, where about ten youngsters had already gathered with banners. He maintained that this was without any prior arrangement but seemingly he assumed control and began addressing passers-by, asking for their signatures and support in the protest against the rise in ferry fares. He took full responsibility for the subsequent procession, which he claimed was his idea. With RAGGENSACK by his side, he led about 12 or 13 persons up Salisbury Road to Nathan Road; the others merely followed, he said, when the demonstration was suggested. By the time they got to Bute Street, the procession had grown to a large crowd but he was still in the lead when they got back to the Star Ferry. Whilst confirming that he had addressed the crowd, he claimed that he expressed himself badly when he questioned the continuation of the Colony and colonialism. What he really felt was that there was something abnormal in Hong Kong because whilst America was sending rockets to explore the moon, an 18th century system prevailed here. He said that he requested the crowd to disperse and that it was at RAGGENSACK's suggestion that the second procession up Nathan Road took place. As for himself, he claimed to have gone over to the bus stop outside the London

Theatre where at mid-night he boarded a bus for home. It is of interest to note RAGGENSACK's description of LO Kei on this evening. He was, RAGGENSACK said, like a general or a trainer, marching up and down, asking the crowd to halt, left turn, right turn, hold up the signs etc. LO Kei's early schooling in Canton may have given him some experience in political marches.

343. The following morning, 6th April, LO Kei called for Miss LUI about 8 a.m. as arranged, he said, the previous evening. After breakfast together, they crossed the harbour and met some reporters on arrival in Hong Kong. Their visit to the Western Magistracy and the subsequent meetings with LEE Tak Yee and MOK Lok Wai and the writing of statements at the Reform Club have already been described (para. 109) as has the subsequent second visit to Government House, after which LO Kei and the others left in a van belonging to the World News Evening Press. This was followed by the visit to the South Kowloon Magistracy and LO Kei's telephone call to the Reform Club (paras. 115 - 117). On the phone he learned about the meeting arranged for 5.30 that afternoon at Mr. BERNACCHI's office, information which he passed on to LEE Tak Yee and MOK Lok Wai. He told us that later in the day whilst reading a newspaper outside a restaurant in Shanghai Street, Kowloon, he was approached by a press reporter who told him that Commercial Radio wanted him. As a result, he went to Commercial Radio at Lai Chi Kok, thus missing the meeting at Mr. BERNACCHI's office. Commercial Radio was, apparently, less enthusiastic about the interview than the reporter had allegedly claimed but he was seen by one of the staff and a recording made, although it was not broadcast. A transcript of the recording was however made available to us and indicated very clearly LO Kei's intentions at that time and his unreliability as a witness.

344. In his evidence to us, he appeared anxious to create the impression that the demonstration on the evening of the 6th had little or nothing to do with him. He said that many people had suggested a further demonstration and the line he took was 'I myself had no power to stop them from holding such a demonstration but I (did) hope that they would not do anything which would infringe the law'. He testified that in the course of the interview, 'I further said that possibly there might be some people assembling outside the Star Ferry for demonstration on the same evening, although I would not agree with the demonstration'. This contrasts with the transcript of his tape-recording which concludes with:

> 'Tonight any workers, students, resident associations, trade unions and organization and residents, if they have time, they may go to the Tsim Sha Tsui Concourse to meet together. It does not matter whether they live in Hong Kong side or Kowloon side, they should gather there. They should prepare some PAI LAUS, slogans etc. It has also been promised me that pickets will be available to maintain order in the demonstration. Demonstrators have promised me that they will not damage public property and avoid breaking the law.
>
> I also hope that police and Hong Kong citizens will co-operate because every citizen is a tax-payer.'

345. From this and his subsequent activities it seems clear that he was endeavouring at this time to enlist support for further demonstrations that night. He told us that from Commercial Radio he went to the Star Ferry and was reading a newspaper on a bench near the Kowloon Canton Railway Station, when a person whom he did not know but who claimed to be a textile worker called YAM Har and one of LO Kei's supporters spoke to him. From there he went to the Y.M.C.A. (Kowloon) with YAM Har; then to a Workers' Club in an attempt to get the workers' reaction to the fare increases; together they then went to the Wong Tai Sin District.

346. Getting no support at any of these places he returned to the Star Ferry still accompanied by YAM Har and had an interview with a newspaper reporter, who told us in evidence that LO Kei said his visit to the Railway Station was to meet RAGGENSACK whom he expected to be there at 8.00 p.m. After this interview he had supper, he said, at YAM Har's invitation in a restaurant near the junction of Granville and Carnarvon Roads.

347. The ever-present feeling of unreliability flowing from a mixture of mendacity and confusion which pervaded LO Kei's evidence then became particularly apparent.

348. In evidence he told us that, at about 11.15 p.m. opposite the Princess Theatre, a large crowd surrounded him, seeking to shake his hand and that he was lifted on to a traffic sign and requested to make a speech by a crowd that was happy, talking and laughing, but was also shouting opposition to ferry fare increases. He said he uttered only four sentences 'Do not be afraid of arrest by the police because our peaceful demonstrations are legal'; 'Support Councillor, Mrs. ELLIOTT, and support the force in opposition to ferry fare increases to the end'. He claimed this was all he said and that after being hailed and clapped by the crowd he asked someone to organize pickets to maintain order but everybody volunteered. He said he then walked with the crowd up Nathan Road in the direction of the London Theatre, and that there were two English superintendents in civilian clothes and one Chinese superintendent in civilian clothes with a force of 60 officers walking along with them to keep them under surveillance and to give protection. When near the junction of Saigon Street, they were met with tear gas although they had done nothing up to that point. He said he did not look round to see what people behind him were doing but, in his opinion, no-one had thrown stones and he did not see any vehicles being burned and he did not see signs being pulled down. The first sign of violence, he claimed, was the hurling of the tear gas. He then went on to say he had not seen any uniformed police officers but only recognized a few plain clothes detectives. Under further examination he was emphatic that he had seen no stones being thrown, no tearing up of signs and no burning of vehicles. A well-dressed young man had come up and asked him in a threatening manner to overturn cars but he ran away and saw no cars being overturned until later when he alighted from a bus near the Shui Hing Store.

349. All this contrasts vary sharply with his statement to the officer of the Secretariat for Chinese Affairs who interviewed him on our behalf prior to calling him and recorded him as saying:

> 'After dinner, we walked along Nathan Road towards London Theatre (junction Nathan Road—Austin Road) where we saw a big crowd holding a protest demonstration. Some of those present recognized me and lifted me to stand on a pile of (road-repair) sign boards, and I was asked to address the crowd. This I did, and in the presence of at least four police superintendents and about 60 police officers. A procession then began and I took the lead—about 3 - 4,000 people participating.
>
> On arriving at Astor Theatre in Nathan Road, I noticed another big crowd there, also present were soldiers, police and what not. People threw stones, and whatever handy at the police and soldiers. Everything was so confused and the crowd was extremely hostile. I then saw the police throwing tear gas bombs etc. at the public. Vehicles were burnt; there was shouting; more people joined in and more things were thrown at the police and the army. Some were pouring kerosene. The situation was then beyond control and I urged the crowd to go home. Some people whom I did not know forced me to set fire to parked vehicles and I remember one of them was quite well dressed and wore gloves, it appeared that he was organizing a small group at the rioting'.

350. The sharp conflict between this earlier statement and his later testimony is apparent and we think the statement is likely to have been nearer the truth.

351. Thereafter, his statement and his testimony became particularly puzzling, and difficult to follow. He talked of being pushed into a bus by the police to protect him, of travelling in this No. 4A bus along the usual route, of seeing cars being burned, of getting out to persuade people not to do this, of seeing looting at Shui Hing Store—but both the manner and substance of his evidence at this point carried so little sense of reality and was so confusing, chaotic and studded with fantasy, that it is not worth repeating and affords no adequate basis for deduction as to what he was doing at this time. He claimed that before retiring late in the evening in the Liu Chong Hing Bank Building, near Shanghai Street, he threw away his red jacket which he had previously worn so prominently. He was, he said, arrested for curfew breaking when he emerged next morning at about 5 a.m. He was subsequently convicted of inciting a crowd to interfere with law and order.

352. He made allegations about being beaten to which we have already referred and disbelieved, as well as allegations about Mrs. ELLIOTT which are dealt with in Chapter 1 of this Part. Similar allegations were made by him on 15.5.66 against Mr. BERNACCHI and members of the Social Democratic Party.

LEE Tak Yee

353. Born in Kuala Lumpur in 1945, LEE Tak Yee went to China with his mother when he was three years old, but in 1956 he and his mother came to Hong Kong from China with a younger brother and two sisters; his father apparently

remaining in Malaya. He attended primary school until 1960 and on leaving school joined the South Sea Textile Factory; he then had three months as a printing apprentice; following which he took an occasional job of knitting sweaters, and then become an apprentice for knitting sweaters at 253 Castle Peak Road for one year. After that he worked for one year in the Cheung Fat Knitting Factory at Man Sang Building. He left, he said, because he had trouble with some Chiu Chow people and went to work at unregistered factories for a short while. From there he went to the Golden Gate Bakery for 20 days and then resumed work as a knitter at another unregistered factory. He subsequently tried a job at a plastic factory for three months getting approximately $700 per month until he joined the Prisons Department in July 1965, which he left in December, having been reported three times for misbehaviour. He went back to knitting again at the Yick Mee Knitting Factory in Kwun Tong, but left shortly afterwards as he was paid only $10 a day. Finally he was employed by a friend at a coffee stall at Cheung Sha Wan Road where he was given $4 a day together with meals and cigarettes, but left after two months when the stall was leased to some other person; he was then unemployed for ten days. He contended that he did not stay long at jobs because wages were low and, with a mother who was sick all the time, insufficient to keep her as his father had not been sending remittances. At the time of the riots, he was a co-tenant at the 10th Block, of the Shek Kip Mei Resettlement Estate with one MOK Lok Wai. He had to move there, he said, because the wooden hut which he owned in Nim San Village had to be let to clear the debts of his mother.

354. In the early hours of 6th April, he heard a lot of noise outside his flat. It came from the anti-ferry fare increase demonstration. He followed the crowd up Castle Peak Road, mainly, he said, out of curiosity as he had no clear knowledge about the Star Ferry increases. He continued with them to the Star Ferry, the crowd getting larger, he said, as they walked down Nathan Road. He estimated the number in the procession to be roughly about 1,000 when they got to the Star Ferry. There, he said, Mr. SUTCLIFFE told 'a person named RAGGENSACK' who was one of the crowd that they would have to leave within five minutes or the police would take action against them; this contrasts with RAGGENSACK's contention that he had gone home before then. Some of the crowd started to leave, but there was a scuffle and he heard that Mr. SUTCLIFFE was assaulted. He saw, he said, 'uniformed policemen and detectives and also a superintendent attacking the public with clubs' and saw five persons arrested, but the crowd then dispersed. He left the area with MOK Lok Wai in a taxi and went home and was pleased with himself, he said, for having taken part in the demonstration.

355. The following day, 6th April, at MOK Lok Wai's suggestion they went to the Reform Club, arriving there shortly after 9 o'clock, and he met Mr. WONG, the organizing secretary, and subsequently made a statement. He accompanied LO Kei in the subsequent visits to Government House and the South Kowloon Magistracy. Having learned from LO Kei of the meeting at the Reform Club

arranged for the afternoon, he attended it. He understood the gist of the proceedings to be that a mass meeting was to be held in the Government Stadium at 7.30 p.m. on 23rd April, and in the meantime no further demonstrations were to be staged. After the meeting he went to the Rediffusion studio, at the suggestion of SO Sau Chung and RAGGENSACK, he said, to watch films of the demonstrations that had taken place in the early morning of 6th April. He was excited at the sight of these pictures, but told us that he did not want to take part in any further demonstrations and that he simply crossed the harbour by the Sham Shui Po Ferry and went straight home to bed, whilst his co-tenant with whom he had spent the day, did the same, he said, but by another route. We think little credence can be given to this part of his testimony as to his later action or lack of it.

356. He agreed he was arrested on 10th April. He was convicted of incitement to riot and damage to property, private car No. AE 8558, on the evening of 6/7th April. He pleaded guilty in court and admitted the facts alleged but made a short statement in mitigation; pleading his youth and the impulsive nature of his action, adding that having served previously in the Prisons Department he feared there would be fights in prison if he went there.

357. He received concurrent sentences of two years from the magistrate for inciting to riot and malicious damage to property; but he neither appealed nor applied for a review although, before us, he made allegations about being promised a lenient sentence if he pleaded guilty and about being beaten; allegations which, when he was more fully questioned, appeared far from convincing.

358. Some of the other prisoners who came before us from Chi Ma Wan, including LO Kei, also alleged that they had been beaten by the Police. Indeed, LO Kei, in one of his more lurid passages, spoke of RAGGENSACK being viciously beaten—although RAGGENSACK himself made no such allegation. The position of LO Kei was exceptional. The possible link between his allegation and Mrs. ELLIOTT's allegation about a plot—unsubstantiated though the latter was—came sufficiently close to our terms of reference to render it desirable to probe his allegation with some thoroughness and we have dealt with it accordingly (paras. 311 - 317). The allegations by some other young men from Chi Ma Wan were in a different category.

359. Had there been any truth in these allegations, one would have expected them to be put forward when the individuals concerned were before the courts. In fact, in no case, either on remand or at their trials, had these youths made any such allegations. Even where there had been an application for review or appeal, with a legal representative appearing, no such suggestion had been put forward. Be that as it may, to determine the truth of an allegation about what happened after the riots, unless it could throw some light on what went before, could not advance the purpose of our Inquiry and does not, we believe, fall within our terms of reference. Consequently, we would not wish to give the impression that we pursued an inquiry into and determined the truth or falsity of these allegations.

We would merely say that, so far as we are concerned, the manner in which these allegations were made was not convincing and did not lead us to think that there was any justification for questioning the validity of the convictions against these young men, in respect of their activities before arrest, already recorded in the courts of law, or that the purpose of our Inquiry could properly include the reopening of the issues therein determined; we are in no sense a court of appeal from these convictions.

AU YEUNG Yiu Wing

360. He was born in Hong Kong in 1951 and lived with his mother and an elder sister at Canton Road. Shortly after he was born, his father went to the United States and is employed there, sending remittances to AU YEUNG's mother of about US$800 each year; his mother and sister also worked and between them earned approximately $250 a month. He said he attended a primary school for six years; then spent three years at one middle school and at the time of the riots was a student at a middle school in Wan Chai.

361. On the morning of the 5th April, a picnic arranged with some friends having fallen through, he took a joy ride around So Uk Village in a bus and then crossed the harbour to see a young man whom he had read about in the newspapers as being on a hunger strike. He thought that if the Star Ferry increased their fares, other prices would increase and thus lower the people's standard of living. Arriving at about 10 o'clock, he saw no sign of the hunger striker and went for a walk around the City Hall. When he came back SO Sau Chung was there. SO's request for newspapers and AU YEUNG's response have already been described in paragraph 88. He stayed there holding a newspaper with pictures and articles about SO until around 12 o'clock and then went away, had some tea and a walk, and came back to where SO was standing. A number of persons were standing with SO including a youth called LAM Siu Lok who had taken off his jacket with writing on it similar to that on SO's. SO then gave AU YEUNG a placard on which SO had written 'oppose to ferry increases—oppose to the end' and told him to stand and hold it so that people could see it. After standing there holding the board for a short while, at SO's suggestion he crossed the harbour with the board. LAM accompanied him. SO's reason was that they should not confine their activities to just the Hong Kong side.

362. On arrival at Kowloon, LAM mounted a rubbish box and started addressing passers-by soliciting their support against the proposed Star Ferry increases and asking them to give their signatures. After LAM had been doing this for about half an hour, another young man named TAM Yat Sam (see para. 390) joined them. He was carrying a banner on which was written 'you are invited to sign your names'. TAM also had a blank exercise book to record the signatures of passers-by While doing that, a woman, unknown to AU YEUNG, came and offered him some more exercise books for signatures. TAM handed him an exercise book and he

requested people passing by to give their signatures. At this time Miss LUI came to him and said, 'here is some news for you—SO Sau Chung has been arrested by the Police'. She mentioned that several persons had already gone to Government House to request SO's release.

363. On hearing this he, TAM and LAM followed her and crossed the harbour. He thought it was an arrest made without any reason, and also that he was doing something right. He walked with the others up Garden Road and joined the group outside Government House. He and his group then followed LO Kei to the Central Government Offices.

364. When RAGGENSACK and others went with Mrs. ELLIOTT to the Central Police Station, AU YEUNG went, he said, with about ten others to the Star Ferry concourse and waited there until joined by LO Kei, RAGGENSACK and Miss LUI, and then, on LO Kei's suggestion, crossed the harbour to the Kowloon side. He thought that the reason for going to the Kowloon side was to hold banners and placards and demonstrate as had been done on the Hong Kong side. It was 8 o'clock when he arrived at Kowloon; a demonstration took place for about 15 minutes at the Star Ferry concourse in the form of soliciting the signatures of the people passing. He described LO Kei as saying 'we'll start our march or procession now', LO Kei and RAGGENSACK taking the lead whilst he and the others followed, shouting encouragement to each other. He marched, he said, only as far as Public Square Street, when, as it was by then 10 o'clock, he left the crowd of about 100 and went home, giving a flag which he carried to one of the others. When he got home he was scolded by his mother and accused of being a 'busy body' by her.

365. On the following day about 12 noon, he went to the Star Ferry concourse on the Kowloon side to see whether anyone was standing there and, finding no-one, he crossed the harbour to the Hong Kong side to see if anyone was standing there: but there was no-one there. He then crossed back to the Kowloon side and on reaching it, saw TAM standing there with a placard on which were written some Chinese characters in red paint. He told TAM that he should not stand there any longer as it might be dangerous because he had read in the newspapers of stone throwing in Li Cheng Uk the previous night. Shortly afterwards a police officer arrived. The officer told TAM that he would be charged for causing obstruction unless he left in five minutes, whereupon TAM replied that he had not been causing any obstruction and that there was just a crowd of people watching him. TAM did not move and was arrested. On seeing this AU YEUNG became indignant and immediately crossed the harbour to Hong Kong with three or four persons to whom he had spoken on the Kowloon side merely for the purpose of going back and standing on the spot where SO Sau Chung had been standing before he was arrested; there to stage a silent protest.

366. On the Hong Kong side he stood with the others holding a newspaper in both hands as if reading. Some persons gathered round them and they were, he said, afraid. He and the group with him went towards the nearby reclamation area where, he said, they were told by a girl who came up to them that a meeting would be held on the tenth floor of Prince's Building that day at 5.30 p.m. and that SO Sau Chung would be at the meeting.

367. He attended the meeting which has already been described and then went with the others to Rediffusion Television studios to see the film about the demonstrations on the previous night. He said that he thought the people shown in the film did not seem sensible; indeed he was upset when he saw it and thought the demonstrators, whom he did not recognize, were overdoing it. He ended by stating that those who were taking part did not seem to be thinking straight.

368. After seeing the film, he went to the Star Ferry and crossed to Kowloon with the three others who had accompanied him to Hong Kong. He then told us a tale of boarding, with a middle-aged stranger, a No. 10 bus and having an apparently uneventful ride to the ferry at Jordan Road, where at about 10.20 p.m. he had a brief meal and walked home to his residence in Canton Road. Having regard to the state of affairs in the area at the time and the route of No. 10 bus, this story, whilst not impossible, seemed very unlikely and was quite impossible to reconcile with his conviction for inciting to riot that evening, a charge to which, according to the court record, he pleaded guilty, admitting the prosecutor's statement that about 10.30 p.m. he was leading a group of demonstrators along Nathan Road and took the initiative in damaging a parking meter with a brick, an example which was followed by others in the vicinity. Having admitted these allegations, he made a plea in mitigation saying that he had been used by a person with curly hair wearing spectacles and asked for leniency. Subsequently, he took legal advice and applied for a review of his sentence but not of his conviction. The Probation Officer, to whom he had expressed remorse for what he had done, claiming momentary youthful impulse, gave a very good report of him and his family saying, incidentally, that he was frank and responsive. The magistrate gave weight to this report and, on review, reduced the sentence to six months.

369. When recounting the events up to his alleged journey on a No. 10 bus, AU YEUNG was also frank and responsive to us but, thereafter, his manner changed and when seeking to explain why he had made these admissions to the court, he was shifty and unconvincing, quite different from when he was giving his earlier evidence. He spoke of having been assured that the charge against him was a very minor one and nothing much would happen to him. When asked why he signed a statement on the 10th, he said, 'I signed the statement thinking that there was nothing serious in the charge of throwing stones'.

370. He then averred that he was frightened in court because two detectives were standing nearby, but later turned for the first time, at any rate in public, to allegations about beating.

HOR Wan Wah

371. He was born in Hong Kong in December, 1951. His father was employed as a night watchman. He has three brothers and three sisters. He attended primary school for four years and after that became an apprentice to a person teaching ivory carving at Chung King Mansions, Kowloon. In April this year he had been an apprentice for two years and had one year to complete before being qualified. He was being paid $10 a month with food and a place to sleep, but would, be paid, earn $500 to $700 when qualified as a craftsman.

372. In manner, HOR Wan Wah appeared to be frank and forthcoming but he opened his testimony with a remarkable series of contradictions as to why, on the evening of the 5th, he went to the Star Ferry pier to join the demonstrations against the fare increase. At one stage he talked of going to the pier for fresh air, but then was most emphatic that he went because he read in the morning paper of SO's arrest—which did not in fact take place until late that afternoon. He would accept no suggestion that he was mistaken in date or time but eventually turned to an unconvincing explanation that his employer had told him about it—which was extremely difficult to reconcile with his description of his employer, so silent and distant from his apprentice that the latter did not even know his full name. These contradictions and his confusing account of how he came to bear a banner on the following day gave the impression that he was trying to conceal from the Commission some other contact that had brought him into these events, beginning with the demonstration on the evening of the 5th, when he joined in the procession up and down Nathan Road, and leading on to the further demonstration on the 6th, when he led a procession from the concourse up Nathan Road. He said that he was not prepared to let the Star Ferry Company increase its fares because, according to the newspapers and what he had heard, this would lead to other price increases: but, in cross-examination, he agreed that, if SO had not been arrested, he would not have demonstrated. Asked whether he thought it was lawful to take part in a procession, he eventually said, 'I am against the ferry fare increases and lawful or not I had to go'.

373. On 6th April at 7.30 p.m. he left Chung King Mansions and went to the Star Ferry pier holding a banner which his friend, he said, had prepared for him. On the banner was written 'support for Elsie ELLIOTT and opposition against Star Ferry increases'. He stated that when he got to the Star Ferry concourse there were no demonstrations there, but he held up the banner and some persons gathered round him. He then started to walk up Salisbury Road and Nathan Road and a crowd followed shouting 'opposition to Star Ferry fare increases' but he remained silent, so he said, and contemplated taking his procession to the Great World Theatre as that would be some distance from the Star Ferry concourse. However, he said, he only got as far as the Princess Theatre when he was arrested. He mentioned that there were three truckloads of policemen in that area; that the crowd was stopped by the police; and that when he was arrested the crowd ran

away. The arrest has already been described in paragraph 131. He said he was surprised when he was arrested as he did not know why, and was not told by the Police why he was arrested. When shown a photograph of the arrest, he agreed he was shouting but claimed to be saying only 'You just can't arrest me like this without any reason, you have to tell me a reason'. He was later charged with holding a banner and causing obstruction and pleaded guilty. His appeal against the sentence of eight strokes of the cane and six months imprisonment was partially successful; the imprisonment being remitted.

Other evidence regarding the background and motives of participants

374. There was a practical limit on the numbers of witnesses we could call. Those demonstrators and rioters who gave evidence were selected by our counsel as the most significant, mainly from the prisoners at Chi Ma Wan Prison, which housed those who were older or had received heavier sentences.

Data on all persons arrested

375. We had, however, three other sources of information throwing some light on the type and kind of individuals involved in the disturbances and, in some cases, on the reasons they gave for involvement. Appendix 7 is a factual statement of the number of people arrested and charged as a result of the disturbances, showing their age group and previous convictions, if any. It will be seen that 905 were arrested and charged, whilst 560 were arrested but released without charge; presumably because they had been caught up inadvertently in the curfew etc. Amongst those charged, the predominant age group is that of 16 to 20 years but amongst those released the age groups are more evenly balanced. The proportion of those with previous convictions is higher as the age groups get older which gives the impression that these groups were rougher and tougher than the youngsters. But this impression may be misleading because, given the same propensities, the older age group is inevitably liable to have more previous convictions. Those involved in offences more serious than just curfew breaking tended, as one might expect, to have a higher proportion of previous convictions but, in this category, there appears to have been no clear tendency towards a higher proportion of convictions for the older offenders, largely because the figures for the 21 to 25 year group seem to be so much out of line with those of the categories on either side of them.

376. The most significant feature of this appendix is the comparatively high proportion of those in the 16 to 20 years category who were involved in offences more serious than curfew breaking. This would seem to point to this age group as the main source of the violence.

Analysis of Chi Ma Wan prisoners

377. A more ambitious document was the analysis of the 313 prisoners held in Chi Ma Wan for offences arising out of the disturbances; more ambitious

because, in addition to the facts about age etc., some details of their background were included and they were asked to state their reasons for becoming involved in these offences. Of the curfew breakers, 102 (40%) claimed they did not know that a curfew had been imposed whilst 81 (31.8%) said they did not realize the seriousness of the curfew or had insufficient time to go home. 68 (26.7%) said they committed the offence in the excitement of the moment, which was also the reason given by the majority for the commission of other offences. 194 offenders had received only a primary education, 102 had been to junior or senior middle schools, five had attended a post secondary college and 12 had never been to school at all. 146 (46.6%) had been in Hong Kong for less than ten years and only 11% were married. Only six were unemployed and 15 were students. The average number of hours worked per day was nine and the income earned ranged from nil to $2,000 per month. 170 (54.3%) were receiving under $300 a month whilst 106 (33.9%) were receiving between $400 and $600 a month.

Survey of detainees at Begonia Road

378. At our request, a group of social workers made a survey of those younger prisoners who were held at the Begonia Road Boys Home for offences arising out of the disturbances. As only 24 boys were interviewed, these workers stressed that they could not be considered as sufficiently representative of the hundreds of youths who actually took part in the riots. A further reason for not regarding them as representative is mentioned in the next paragraph. The workers also expressed some reservations as to the scientific validity of their survey, because of limitations of time and doubts as to whether their questionnaire was properly balanced and sufficient fully to support their somewhat ambitious aim of building up a reasonably accurate picture of the background and certain relevant attitudes of these youngsters.

379. Whilst accepting these reservations, we think the answers received are of sufficient interest to merit quoting some of them. They are given for their qualitative rather than quantitative value, all the more so as we were in no position to assess the real veracity of these answers or the extent to which they may have been coloured by the fact that the boys at the time of the interviews were actually paying the penalty for their recent clash with authority. Moreover the 24 came from those who had received comparatively heavier punishments, those with short sentences had already been released at the time of the survey and many of those convicted were never imprisoned at all.

380. *Social background.* The boys ranged from 13 to 17 years of age. The majority (18) had been born in Hong Kong. Most had left school at the time of the riots and the majority (14) had been away from school from two to three years. Ten gave 'lack of interest' as their reasons for leaving school and six 'financial difficulty'. Fifteen had both parents in the family. One had no parents in Hong Kong. Four had fathers only and four had mothers only. Three of the boys did

not know their parents' income. The others gave figures between $101 and $1,000 per month; four between $101 and $200, five between $201 and $300, the remainder being above $400 a month. Twenty-one of the boys were working at the time of the riots in the following capacities:

Kitchen Hand	*Apprentice*	*Delivery Boy*	*Bar Boy*	*Hawker*	*Unskilled Labourer*	*No Information*
7	5	4	1	2	1	1

Ten claimed they had chosen their jobs themselves. More than half claimed that they worked very long hours. Including the apprentices, their monthly salary ranged from:

—$50 (2), $51—$100 (3), $101—$150 (6), $151—$200 (7), $201—$250 (3)

Seven of the boys did not have to give any of their earnings to their parents and four had to give all. Six of them felt that their working conditions were good, seven felt that theirs were passable, and another seven, poor. Twelve slept at their place of work, in bunks, camp beds etc. One slept on a board over a sewing machine.

381. Regarding prospects, half of them did not feel that they had very much future in their present job, while six felt a bit more hopeful. Seven of them aspired to be motor or electrical mechanics, four to catering and restaurant work. Others would like to be seamen (two), clerk (one), radio-worker (one), carpenter (one), construction worker (one) and hotel boy (one). One hoped to have his own garage and be his own boss. Five had no plans.

382. The majority, 20 out of 24, claimed to be in good health. Eighteen felt recreation was essential and important whilst three felt it was unnecessary and three had no opinion. Going to the cinema, loafing in the streets, swimming, ball-games and gambling were the major activities apart from work.

383. *Attitude to Government & public utilities.* Four of them were unable to make any comments about the Government. Six were indifferent. Two felt the Government was good. Six felt it was satisfactory. Six felt it was bad. Eighteen of the boys felt there was no equal treatment for people in Hong Kong and sixteen of them that there was no justice in the Courts. Others had no opinion on these topics. Sixteen of them considered the police force bad. One said it was very bad. Five were indifferent and two were unable to make any comments.

384. Twenty-one of the boys had no knowledge of who owned the public utilities such as the Star Ferry Co., etc. Only two knew the correct answers. One was indifferent. In spite of their lack of knowledge, eleven of them positively stated that it was unfair to raise fares; twelve of them were indifferent and only one said that it was fair to raise fares and then salaries, in general, should also be raised. To illustrate their lack of knowledge about public affairs, two boys said that the Star Ferry belonged to Mrs. ELLIOTT.

385. *Reasons for Participation.* Twelve claimed they were not actually involved in the riots but happened to be passing by in the streets where the riots occurred. Of these, one said he was wandering along the street after a movie and was probing with a stick inside an already broken parking meter when he was arrested and charged with breaking it. Of the remaining twelve, four admitted yelling, four admitted throwing things, one said that he and his fellow apprentices thought it was a good chance to take revenge on the police and to let off steam, so he attacked a police van. Two said they joined the crowds for the fun of it and to get first hand experience of being in a riot. Eight of the boys said they joined in out of curiosity and eight said they joined in for fun. Two stated that the reason for their doing so was to reject the fare increase. One said his motive was 'anti-bad-government'. The rest could give no reason.

386. Eight of the boys felt the others were all fighting for a cause. Three felt the others were doing it for fun and three felt there was something wrong with these people. Two felt these people were 'heros'. One felt they were 'mad'. The rest had no idea on this matter. Seven out of the twenty-four said that they had no idea why they were arrested. Twelve said the reason for their being arrested was 'breach of curfew order'. Four felt it was because of their throwing things and one said he was accused of having damaged public property.

387. Seventeen out of the total of twenty-four felt that the main cause of the riots was the raising of fares. One said it was because of feelings against the 'bad-government'. One said it was because of hostility of the public towards the police. One said that the riot was stimulated by excitement over the police's brutality towards a five-year old child in Tsim Sha Tsui district. Four were unable to express any opinion.

388. Twelve of the boys thought SO Sau Chung, LO Kei, etc. were 'good people', 'brave men', 'a hero', and fighting for a good cause. Four were indifferent or could not express anly opinion. Eight had never heard of them.

Summary by Social workers

389. The interviewers expressed their general conclusions on these boys as follows:

> 'It seems obvious that the boys interviewed were for the most part employed, had reasonably stable personalities and came from ordinary hard-working families. They were not social misfits anxious for political or other reasons to cause unrest and trouble in Hong Kong.
>
> The interviewers felt that the type of employment many of the boys were in held little for them by way of future security or advancement and this, coupled with the long unorthodox hours they worked, as well as the low pay they received, contributed to the feeling of aimlessness and boredom which was part of the motivation behind their involvement in the riots. Because of the demands of their employment they lacked opportunity for normal teenage fun, so used the riots as one outlet for this need.'

In assessing the significance of these answers and conclusions it is well to remember that they did not come directly but were relayed through the interviewers. On the other hand, they did not suffer from the twin dangers which can affect such youths when examined in public; where they may be either reluctant to speak or tempted by the limelight to show off and become dramatic or belligerent.

Interview with TAM Yat San

390. One other interview should perhaps be mentioned: that between the Juvenile Liaison Officer and TAM Yat San who was arrested at the Star Ferry, Kowloon, at 4 p.m. on April 6th (see paragraph 118). He was unemployed, having recently been dismissed as a factory worker, but did not appear to the Juvenile Liaison Officer to be the 'Ah fei' type and was very calm and sensible throughout the interview. He had strong views on the rising cost of living and the expected rise as a result of the Star Ferry increase caused him consternation. He was convinced that the Police were exceeding their powers when they arrested demonstrators on the night of the 5th and part of his reason for picketing the Star Ferry on the afternoon of the 6th was to show his objection to the previous arrests. He strongly objected to his own arrest maintaining that the police were exceeding their authority and said that any obstruction he had caused was minor to that caused by film stars and persons of public interest. He strongly maintained that nobody had encouraged him to demonstrate.

Conclusions

391. It seems tolerably clear from all this that, whilst the more prominent of the leaders in the early stages could be described as misfits or cranks like LO Kei and SO Sau Chung, the main body of these who joined in the demonstrations and subsequently in the riots were more or less ordinary youngsters and people no more disposed of crime than any average group of the less privileged in the streets of Hong Kong.

392. It would be foolish for Hong Kong society to comfort itself with the thought that it was only the severely under-privileged and discontented who participated in, or passively supported, the disturbances. The great majority of the participants came from the poorer sections of the community but they were not destitute nor were they identified with what are frequently called the criminal classes. Our final chapters endeavour to show how people such as these came to be involved in the riots.

PART VI

THE IMMEDIATE CAUSES OF THE DISTURBANCES AND ALLEGED CAUSES OF UNDERLYING UNREST OR DISCONTENT

CHAPTER 1. IMMEDIATE CAUSES OF THE DISTURBANCES

Why did they demonstrate?

393. Before attempting to trace the cause and course of the transition to violence on April 6th, it is desirable to analyse the reasons, so far as we can discern them, for the demonstrations immediately preceding the rioting: why they occurred and what light, if any, they throw on a possible recurrence.

394. *Opposition to fare increases.* The opposition to any increase in transport fares, apparent even before the Star Ferry application was made, seems to have come from:

(*a*) a fear that an increase would cause a chain reaction of price increases leading to general inflation, a point on which feeling in Hong Kong can be particularly sensitive because of what people know or have heard about inflation in China in the past;

(*b*) a belief that the economy was facing a period of depression in which the livelihood of many would be in jeopardy; and

(*c*) a widespread feeling that the Company was already making sufficient profit and that a fare increase would merely benefit a few at the expense of many.

395. The public's opposition was strengthed by the prominence given to the views of certain civic leaders and a tendency in certain sections of the press to emphasize pessimistic views of the economy.

396. The public's fear of rising prices found support in some increased prices in 1965 and a rapid succession of increases in taxes and other charges announced or introduced in March/April 1966.

397. As a result, the Star Ferry application, which was the first to come forward and provide an opportunity for sustained public discussion, was accepted as a symbol of a further surge of increases. Opposition to this application came to be regarded as opposition to all price rises and, in some quarters, as a protest at Government's handling of public affairs generally and of the economy in particular.

398. It is ironic and unfortunate that Government should ultimately have been accused of ignoring and flouting public opinion on the ferry fare issue when it was at pains to refer the matter to a committee composed of an unofficial majority; but, in the two months between the receipt of the application and the reference to the Transport Advisory Committee, there was opportunity for rumour, suspicion and opposition to grow, and, at popular level, the tide continued to flow against the Company, in the ensuing months.

399. In referring the problem to the Committee, Government, no doubt, felt that the advice of such a body would be most valuable in assisting it to reach a decision and in satisfying the public as to the propriety of that decision; but, once the issue was referred, Government felt, as their counsel has told us, that it was not proper for it to seek to propound before the public the arguments for or against the Company's case. Whilst this may not be a complete answer to the point that more might have been done to keep the issue in perspective and to counteract the impression that the application would lead to inflation, it is easy to see how adjurations to this effect might have been confused with pleading the Company's case. As for the Company, it may well have felt that its primary task was not so much to persuade the public, as represented by the man in the street, as to persuade, in the first instance, the Transport Advisory Committee and then the Government, to whom its application had been made. The Company did, in fact, put forward to the public at any rate some of the arguments supporting its request but these received little public notice. As a subject for publicity they had little of the popular appeal attaching to the opposition. Publicity in the press was, on the whole, reduced in scale whilst the application was under consideration by the Committee, but unfavourable editorials did appear on occasion, and the campaign in support of the opposing petition continued.

400. The Committee also made some efforts to bring the issues involved to the attention of the public by occasional press conferences, by publishing monthly reports of their activities and, eventually, by offering free copies of the report to the public. But at this stage there were two, virtually separate, exercises proceeding. The man in the street was being urged to manifest hostility to any transport price increases, irrespective of the terms of the franchise, whilst the Committee was considering the question whether the terms of the franchise justified an increase.

401. We do not conceive it to be any part of our task to evaluate the merits or demerits of the Transport Advisory Committee's Report as such. Suffice it to say that a committee with a membership so widely based, with knowledge, experience, and integrity such as theirs, would be unlikely to reach, by a majority of 14 to one, an opinion that was unfair or unjust, or one that did not provide an appropriate answer to the questions posed by its terms of reference. But precisely what the majority had to say about their conclusions and why these were reached did not, apparently, percolate very far. Despite the offer of free copies of the

Report only 45 were taken up, 20 of them by the Hong Kong University Students' Union. The public, in so far as it was interested, must have relied almost exclusively on radio and newspaper summaries and many of the latter devoted more space to the minority report of one, than to the 14 member majority view. Few papers showed any interest in presenting the reasoned arguments of the majority, large and representative though it was. They continued to regale their readers with the more palatable slogans of the opposition: and public opinion, at least in so far as it was vocal, continued to be opposed to a rise in fares.

402. Quite apart from any question of the franchise, those who sought to solve a problem like this merely by asking the public whether they wanted any rise in transport prices ignored and evaded the real issue. Probably at no time in history if a referendum had been taken on the simple question 'Do you want an increase in the price of rice or the price of bread or the price of transport?', would the answer ever have been anything but an overwhelming 'No'. But that does not solve the problem whether, without an increase, you will get sufficient bread, rice or good transport in the future: that is a matter which has to be settled by reference to something more informative than the simple process of soliciting signatures in a blank exercise book at the kerb side.

403. But, apart from the contention about past profits which, had it not been precluded by the terms of the franchise, might well have been a very cogent argument, the general line of opposition to the ferry fare increases was scarcely more sophisticated. It tended to approach the problem on the basis that, since the majority of the people did not want an increase in fares, the Government should not allow such an increase, because, by doing so, Government would be flouting the wishes of the majority; an argument which, quite apart from any question of legal rights and obligations, ignored the basic fact that the salvation and strength of Hong Kong in a hard and material world has lain in the stark realism of her economy. In general, it has not had the resources to subsidize the unprofitable and the uneconomic. It must be efficient to live and, in a free economy, efficiency requires a fair return for labour, capital and management. Without that return, the economic machine here will not operate effectively and it was to the problem of what is a fair return that the Transport Advisory Committee was addressing its mind, whilst the man in the street had been, and was being, approached in a very different manner. His emotions perhaps more than his thoughts were being enlisted and a gap was being opened between informed and uninformed opinion on this issue—a very considerable and dangerous gap—between the reasoned conclusions of the majority on the committee and the great mass of public opinion —however superficial or shallow the basis on which that opinion rested.

404. Whether because the existing channels were not sufficiently wide and numerous or because they were temporarily diverted or choked, it was in some sense a 'failure of communications' that opened the gap between public opinion

and the conclusions of the Committee, and it was through this wide and dangerous gap that the demonstrators marched on the evening of the 5th and 6th, to receive from passers-by support and encouragement for their banners and their slogans.

405. From the evidence before us, it looks as if the motives of the demonstrators varied widely, but the press reports on the Star Ferry issue and the petitions organized with considerable publicity by Mrs. ELLIOTT had fostered an atmosphere of unrest, and had helped to focus on a particular facet of public concern those feelings of insecurity and discontent which are bound to exist amongst the under-privileged in any big city. Although the increase proposed was insignificant in itself, some sections of the public saw in it a symbol of inflation with possibilities of greater hardship in making ends meet and greater financial insecurity. The contribution made to later events by these factors lay in the highlighting of public tension and in providing the demonstrators with a cause—resistance to price increase—and a vocabulary—'chain reaction'—'inflationary spiral' etc.

406. *The 'Hunger Strike'.* SO Sau Chung decided to turn his appearance before us into an exhibition, consequently we were unable to rely on oral evidence from him as to his motives and attitude. But it is clear from the words painted on his jacket, from the published newspaper and radio interviews and from the evidence of his supporters that the motives for his demonstration were, initially, opposition to the Star Ferry fare increase and support for Mrs. ELLIOTT's campaign. Later, in the interview with Mr. BERNACCHI, it seems that he took advantage of his suddenly elevated position in the public eye to give expression to his general political views.

407. *The early demonstrators.* Whereas SO's demonstration was directly motivated by the Star Ferry affair and Mrs. ELLIOTT's campaign, the connection is less direct in the case of the other demonstrators: and many of them admitted that, although they acquired their knowledge of and concern over the proposed increase from newspaper reports, they first showed a direct interest in the matter when they saw SO or read about him in the papers. The further removed the contact from the original demonstrator, the further did the motives for joining in the demonstration move away from opposition to ferry fares—and curiosity and an urge for excitement became stronger reasons than opposition to fare increases: e.g. one demonstrator told us he had not heard of Star Ferry increases until he saw the procession.

408. *Mood of the crowd.* The interest and curiosity of passers-by—a normal feature of Hong Kong life—were a prominent feature of the early demonstrations and there is little doubt that the public had some sympathy for people, who, in spite of normal Chinese reticence, felt strongly enough to demonstrate in public. The public approbation and particularly the interest of press reporters in their

activities had, we think, a powerful effect on the demonstrators and strongly influenced the decision to intensify the demonstrations by marching through Kowloon. At this stage, in our opinion, the demonstration lost direct touch with opposition to ferry fares and developed a momentum of its own. Many passages of the evidence point to this conclusion. It is also supported by the photographs of the marchers; their age and appearance indicate that they could have little knowledge of the issues at stake, certainly no more than those who appeared before us.

The Transition to Violence

409. Before going on to express our own views as to how and why the demonstrations thus begun erupted into violence, it seems desirable to look at the theories which appear to have gained most currency.

410. Although the majority of commentators immediately after the riots appear to have accepted that the demonstration march on April 5th was the direct result of the agitation against Star Ferry fare increases, the 'hunger strike' and the arrest of SO Sau Chung, there was considerable reluctance to accept the possibility of the rioting having sprung directly from the demonstrations, or of the rioters having been in many cases the same people as the demonstrators. Broadly, the theories of causation propounded at that time suggested either that the rioting had been planned by some person or organization or was a spontaneous explosion of widespread discontent in the population.

411. *The theory of prior organization.* We examined closely the possibility of the riots having been organized. The most obvious explanation was that they had been organized or exploited by either of the political factions or by the triad societies. These were, however, excluded by unqualified statements from the Police that there was no indication of any political or triad control or exploitation of the situation. This view was confirmed by the evidence of the participants, and by that of most eyewitnesses, who agreed that the damage was indiscriminate, that the actions were spontaneous and unco-ordinated and that there appeared to be no central organization or control. A similar statement was received from the Police in respect of the possibility of organization by criminal gangs in Kowloon.(1)

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(1) Sir Lindsay RIDE wishes to add that the views expressed in this paragraph are also supported by the fact that although SO's demonstration took place mainly during the day, the demonstration marches and riots appeared only at night; had these latter been under the control of lawless factions they would probably have developed into round-the-clock disturbances, at any rate, in certain areas. He thinks it is not beyond the bounds of possibility that the disturbances had not reached a tempo sufficient to attract the open participation of lawless factions by the time the police had re-established their complete control of the area, and it would be dangerous to believe that no evidence of the activity of lawless factions necessarily means that they were not carefully observing the situation, ready to exploit it if and when they considered the time propitious.

412. Nevertheless, it seemed to us that behind the early demonstrations and the movements of those concerned, there may have been a measure of organization which had not been uncovered by police inquiries and which we were not able to uncover in the course of our inquiry. As one or two highly responsible witnesses indicated, a public inquiry is at a disadvantage in this respect because of a natural reluctance amongst many people to come forward and give testimony in open forum. In view of the hazards involved, the possibility of antagonizing someone or of saying, on the spur of the moment when under close questioning, something unwise or foolish, together with the ever present danger of being misinterpreted or misreported, it requires both considerable courage and a high sense of public duty to expose oneself in this way. If the ordinary citizen is likely to feel a reluctance to speak, then anybody involved in organizing these demonstrations, whose activities were not already known, would be extremely unlikely to volunteer to speak of these activities in public. Whether if we had held our inquiry in camera they would have been less reticent must remain doubtful. In any event, the reticence of some of the witnesses as to what caused them to appear on the scene at certain significant moments and the untruths in which they tended to take refuge, left us with the impression that there was a greater measure of organization behind the earlier part of the demonstrations than they were prepared to disclose. It is difficult to credit that their appearances were as fortuitous and uninspired as they wanted us to believe.

413. In particular, the presence of the banners and the movements of the group or groups which set out from Hong Kong for Kowloon on the Jordan Road and the Sham Shui Po ferries indicated, we think, the existence of a more calculated stimulant and motivation that was disclosed to us by the witnesses. But, if there was any organization at this stage, we do not think it went beyond 'peaceful demonstrations'—though, of course, with the hazards these entail. The violence which subsequently ensued may not have been desired or even contemplated by the young people themselves or by those, possibly not so young, who may have been encouraging or directing their activities at this time; yet, given the crowded conditions of the areas in which these young people were seeking to operate, the readiness with which crowds could gather and be swept along by mass excitement, stimulated perhaps in some instances by active ill-will, the danger of riotous behaviour was an ever present peril.

414. *The theory of massive discontent.* We also considered the theory that the riots arose from a spontaneous explosion of serious public discontent at rising costs or other factors, but found that this was not borne out by the evidence.

415. Discontent at social or economic conditions is seldom sufficient by itself to make people riot. Moreover, conditions in Hong Kong have been improving for the bulk of the population, although there has been some increase in the expression of dissatisfaction in recent years. This is by no means an uncommon

companion to improving conditions, when some relaxation in the struggle for existence makes more time and energy available for voicing protest against what has not yet markedly improved or has not improved rapidly enough.

416. The main ground, however, for discounting discontent as the direct cause of the riots lies in the evidence of the participants themselves, which emphasized curiosity and excitement as the principal motives for their participation rather than any strong 'cause'. Moreover the disturbances were restricted to a comparatively few participants, to a comparatively small area of the Colony and to a comparatively short period of time, which would not, we think, have been the case if discontent had been as widespread and serious as alleged. There was also some evidence that the police received spontaneous gestures of support for their efforts in quelling the riots from people living in and adjacent to the trouble areas both during the disturbances and immediately afterwards. The absence of any specific target for the violence which occurred was significant and so was the fact that damage to shops and private property exceeded the damage to Government buildings.

417. The absence of older persons from the disturbances suggests that the degree of discontent of the population at large has been exaggerated in certain quarters, as also has been the part played by such discontent in the causation of the riots. The fact that the participants were virtually confined to the younger age groups would seem to point in the same direction.

418. Nevertheless, we agree with the view that the demonstrations would have attracted less support from the general public if there had not been some underlying social and economic dissatisfaction in the community. The importance of analysing potential and actual causes of discontent, which might be contributory factors in future disturbances, has led us to list in Chapter 2 of this Part a number of those which were mentioned in evidence before us.

419. *The theory of a police plot.* The theory suggested by Mrs. ELLIOTT that the riots were fomented by the Police with the aim of blaming her for the consequences would, under ordinary circumstances, be too fantastic and juvenile to warrant consideration but, in view of the disproportionate prominence achieved, during our inquiry, by the so-called 'Mongkok plot', we have dealt very fully with this in Chapter 1 of Part V and rejected it.

Our findings: demonstrations that got out of hand

420. The evidence before us, therefore, rules out the likelihood of the riots having been caused by one single factor or organized with premeditation to achieve any specific social or political objective. Furthermore, observers and commentators appear to agree on the spontaneity of the outburst, which leads us to the conclusion that, although the early demonstrations showed signs of elementary

planning, the later and more violent phases were hastily devised and based on pretext rather than the attainment of an objective; consequently, we believe that the riots were simply an unpremeditated outcome of the early demonstrations which got out of hand.

421. The validity of this conclusion can we think be demonstrated by tracing the sequence of events leading up to the outbreak of violence; by looking at the environment of time and place which provided their framework; by examining the type of people who took part in the demonstrations and subsequent riots; and finally by looking at the political, economic and social conditions, which formed the background of these events; in doing so, however, it is important to distinguish between factors which operated directly on the participants and events, so as to constitute a direct cause, and those which merely contributed to a general climate of opinion or 'groundswell of discontent.'

The Events

422. The main events in the chronological sequence described in Parts II and III fall into five stages, which can be expressed in the following manner.

(a) The build-up of public opposition to proposed increases in Star Ferry fares

423. This has already been fully dealt with. At this point we would allude to the difficulty of assessing whether press comment or Mrs. ELLIOTT's opposition played a greater part in stimulating public interest and concern in the Star Ferry issue, since the two were inextricably interwoven. The evidence indicates that she only started her campaign after a considerable amount of press comment had appeared but that, thereafter, she became the focus of the opposition, particularly in the period following the publication of the T.A.C. report. A sense of urgency was imparted by the publicity given on April 3rd to her alleged exhortation 'too late if you do not hurry'. Indeed it was a paper with this heading that was brandished to attract attention by the original demonstrator SO Sau Chung.

(b) 'The hunger strike' of SO Sau Chung

424. The alleged hunger strike attracted considerable public attention and publicity in the press owing to the location chosen, the unusual nature of the demonstration, at least in Hong Kong's experience, and the dramatic appearance of the demonstrator. From witnesses' descriptions of their reactions to the appearance of SO Sau Chung, from the events which followed his arrest and from public comment generally, it is evident that he made a strong appeal to a section of youth and quickly found supporters and imitators. But SO was not typical of the average demonstrator and his contribution to the later events seems to lie in:

(i) his emphasis on support for Mrs. ELLIOTT;

(ii) his accent on youth, such as his reference in Radio Hong Kong interviews to the 'enthusiasm of youth';

(iii) his action in diverting the protests from the written word to public demonstrations;

(iv) his introduction of placards and slogans painted on jackets etc. as the badges of the 'movement'; and

(v) his bringing together the young people who subsequently featured prominently in the demonstrations and riots.

(c) The spreading effect of the 'hunger strike'

425. SO was primarily a passive character, and although he turned the tide of opposition to price increases from one of petitions and newspaper articles to one of public demonstrations in the form of a hunger strike, with its evocation of Indian and Vietnamese prototypes, it was mostly through the more active personalities of LO Kei and RAGGENSACK that the opposition developed in intensity and moved on to the streets. It seems that SO himself was opposed to the intensification of active demonstrations in the form of marching and riots, but he supported by words and actions an increase in passive demonstrations and public speeches by sending AU YEUNG and LAM to Kowloon and inviting passers-by to join his demonstration in Hong Kong.

(d) The demonstration march

426. The evidence suggests that the leadership of the youthful opposition changed immediately after SO's arrest at 4 p.m. on 5th April and that although 'hunger strikes' and signature gathering, following SO's pattern, were continued by certain supporters, the main stream of protest under the leadership of LO Kei and RAGGENSACK turned towards bringing the issue more forcefully before the public. The change of direction and emphasis in the demonstration, which led to the subsequent escalation of events, seems to have come from the nature of these irresponsible, ill-balanced youths, from the increase in excitement after SO's arrest, and from the public support and the interest which they derived through the unaccustomed press publicity and the concern shown by some public figures. There was also, in all probability, a youthful emulation of the precedents and pattern of demonstrations so familiar in other countries.

(e) The repetition of demonstrations and the outbreak of violence

427. The evidence regarding the so-called 'peaceful demonstration' on the night of April 5/6th indicates that it constituted some threat to law and order even before the incidents outside Tsim Sha Tsui Police Station in the early morning and it is relevant to note here that the original leaders had apparently either left or

ceased to dominate the demonstration before this stage, which confirms our impression that it had developed its own momentum. There was a measure of disturbance to the public through the shouting of slogans and processing in a busy thoroughfare; some provocative and emotional speeches were made; excitement was raised; traffic was dislocated at times and police orders defied.

428. In the light of the press coverage given to this demonstration and the retailing of personal experiences by those taking part, it is hardly surprising that many young people were encouraged to savour the fun, the excitement and unaccustomed publicity of demonstrating again on the night of April 6/7th. Furthermore, after the defiance of Police orders with comparative impunity on the night of 5/6th April, it is hardly surprising that they should have been tempted to take advantage of the temporary tilt which had been induced in the normal equilibrium of power and restraint.

429. The events of the evening of 6th April between 8 p.m. and 10.30 p.m. point to these factors as the direct triggers to violence. Unfortunately, from the oral evidence of the movements of the demonstrators during these hours, no entirely precise pattern emerges but, when coupled with newspaper reports and photographs, it is sufficiently clear that in place of the one group marching in Nathan Road on 5th April there were three or four groups marching up and down Nathan Road with banners on 6th April.

430. Having noted the effect produced by the arrest of one demonstrator and by one group marching through Kowloon on April 5th it seems to us—with the benefit of hindsight—to have been almost inevitable that the multiple demonstrations which occurred during the evening of April 6th should have resulted in the subsequent riots when consideration is given to the following additional factors:

(i) the added air of public anticipation and curiosity which drew crowds of onlookers onto the streets; and

(ii) the increased resentment of police action in attempting to stop demonstrations by the arrests of the four demonstrators at Tsim Sha Tsui followed by those of TAM Yat Sun and HOR Wan Wah, and the apparent arrests at Jordan Road. There were indications that this resentment was intensified by the actual facts of these arrests or rumoured arrests having been considerably embroidered in the retelling.

431. Most significant in the events that triggered off the subsequent violence were: (i) the impression created on some people in Jordan Road that the young men who had endeavoured to demonstrate there and who were given a lift in a police land-rover to the Star Ferry had, in fact, been arrested without adequate reason, and (ii) the possibly independent, but possibly connected, march up Nathan Road by a group which had set off from the Star Ferry Concourse at Tsim Sha Tsui and which came into conflict with the police near Kimberley Road. The first

incident in Jordan Road led to a crowd advancing on the Yau Ma Tei Police Station apparently with the intention of attacking it, when they were dispersed by a baton charge, whilst the other movement up Nathan Road seems to have led on to the more serious clashes at Public Square Street.

432. To sum up, the direct causes seem to lie in the escalation of events from the much publicized opposition and petitions concerning the Star Ferry fare increase (Sept. 1965—April 4th 1966), to the 'hunger strike' by one man (April 4th), to his defiance of authority (April 5th), to the organized march ending in more serious defiance and clashes with authority (April 5/6th), to the further demonstrations merging into riots (April 6/7th). This is not to deny that other factors, such as a degree of organization or the action of the police in the line of their duty or the activities of criminals, may have precipitated these events: our intention is merely to indicate and highlight what appears to be the main stream as opposed to the tributaries of causation.

The Time

433. Under this heading, three factors should be mentioned, the absence of all or any of which might have led to a different pattern of events.

(*a*) On the evening of Monday, 4th April, more than seven inches of rain were recorded between 6 p.m. and midnight. This would have ruled out the possibility of any activities outdoors on that night. However, on the following evenings the weather was generally fair with only traces of rain recorded.

(*b*) Tuesday, 5th April was a public holiday for the Ching Ming festival and most schools and factories were closed. This released on to the streets of the twin cities young people who, under the circumstances, had nothing in particular to do.

(*c*) The demonstrations which attracted the most attention—and the evidence points to the conclusion that they were deliberately staged with the intention of so doing—took place in the evening. It is significant in this analysis, that the demonstration should have been moved over to Kowloon on the evening of the 5th in order to attract greater attention and that marches at other times of the day on Hong Kong Island and in the early evening of the next day in Kowloon did not attract any public interest. The significant factor here is that it is in the evenings that most people in Hong Kong and Kowloon are free and, after finishing the evening meal, are accustomed to move out of their crowded homes on to the streets in search of entertainment or relaxation.

434. To sum up these factors, it is apparent that in this instance the weather, the holiday period, and the time of day chosen for the demonstrations combined

to provide large crowds in the streets of Kowloon and a favourable framework for the events which occurred. We have, however, no evidence at all that the date of the first demonstration march was in any way the result of an active choice. The date of SO's first appearance may well have been, but there is no evidence that he could have foreseen the resulting Kowloon demonstrations.

The Place

435. It is difficult to find in the evidence any clear and direct connection between the location of the demonstration and the rioting. In our analysis the main relationship derived from the fact that the original demonstrations were planned to draw the maximum attention and were therefore directed towards Nathan Road, which is the entertainment centre and main traffic artery of Kowloon.

436. It seems to be in accordance with the pattern of these events, that the protest marches of the 5/6th should have been repeated on the 6/7th—even ignoring the possibility of prior organization—in the same location. It also seems to flow logically from this that repeated demonstrations in this most crowded thoroughfare would be bound to generate an atmosphere of intense excitement and, given certain other factors, inevitably to burst into disorder.

437. Nevertheless, and although we believe that the prime relationship is as described above, it is possible that the location had some effect on events in other respects. Mong Kok and Yau Ma Tei are the most densely populated areas in Kowloon and almost entirely lacking in open space. Furthermore, the overcrowding of the tenements and streets is exacerbated by the flow of industrial, commercial, and private traffic through the area and by the influx of thousands of persons visiting the cinemas, restaurants, tea-houses and shops with which the district abounds. These two factors distinguish them from other overcrowded areas such as Western District or Wanchai on Hong Kong Island, but the location was not shown to provide any clear link in the causation since many of the persons convicted of rioting were residents of other areas. It may be significant, however that residents of the resettlement estates who enjoy low rents, a somewhat lower density of population, greater security of tenure and slightly more contact with authority appear to have been less included to join the demonstrations than people in Mong Kok and Yau Ma Tei. But it would be dangerous to overemphasize this point since some residents of resettlement areas did participate in the disturbances and, had the demonstrations been concentrated in these areas, the result might have been different.

The Participants

438. The picture, which appears to have gained considerable currency, of a peaceful demonstration being taken over by entirely different and hooligan elements, who ousted the original participants and completely transformed the scene,

is not borne out by the facts. In the midst of these riotous incidents were two leaders of the original demonstrations, RAGGENSACK and LO Kei, and other participants fully sharing in the violent and unruly behaviour that followed, whilst others, with no previous criminal tendencies so far as one can see, were being drawn in by the excitement and the contagion of mass action. The real truth seems to be that one stage and one step led on to another. When these youngsters set out with their banners into these crowded areas gradually attracting more and more followers, it was no great step to the point when, having impeded traffic and virtually brought it to a standstill, the throwing of stones began. One reporter stated that it began in an area where he was by the throwing of a shoe. Often it took no more than one youngster, slightly bolder than the rest, to emerge from a group and kick over a litter bin or break a traffic sign or parking meter for others in the group to start behaving in a similar manner. Indeed, this pattern only repeats what has been seen in riots in other countries; teenagers normally well conducted quickly get carried away when caught up in an excited boisterous mob of youths, any element of which is breaking into misbehaviour. No doubt the most sinister feature of the first evening was the looting which occurred at a later stage, but even there we have had evidence that normally honest youngsters were carried away by the temptation of the moment and, seeing the broken windows and the goods, could not resist the opportunity of getting something for nothing.

439. The pattern was much the same throughout with crowds gathering, lighting bonfires, obstructing the roadway, throwing stones and other missiles at police, breaking traffic signs, parking meters, smashing the windows of stationary buses etc. When dispersed by tear gas or baton charges, they slipped into the side streets or up staircases and then came back for more, a game of tip-and-run, which they seemed to enjoy. Although the mood of the crowds seems to have been changeable, many witnesses spoke of a comparative light-heartedness, jeering and throwing stones, 'all in good fun', they said. Others detected a more sinister note at times and it may be that the mood varied from time to time and from place to place; though, no doubt, to the police at the receiving end, it probably seemed sinister and nasty all the way. But the testimony of the witnesses and, indeed, of many photographs that we have seen, indicates there was comparatively little real anger or animosity in the groups that were indulging, when someone took the initiative, in the type of destruction which tends to attract teenagers. Throwing flower pots, litter bins etc. from roofs, balconies and stairways can, of course, be very dangerous, but there was little real vicious savagery in the groups—little or none of that setting upon and beating up of individual victims, which is so horrible a feature of many riots. As Pastor STUMPF, a prominent social worker pointed out, the objects tended to be material things rather than human beings. The police suffered because of their role in maintaining law and order and in protecting these things, but apparently there was little human animosity apart from very slight racial elements e.g. when a group molesting a Chinese photographer desisted in order to pursue

a European, and when an American was surrounded and hustled for a time, appearing to be in some danger of maltreatment, but kept his head and his temper admirably, according to the newspaper man who recounted this incident, and was thus able to escape from any more serious assault.

440. There may well have been infiltration by more criminal elements at some stages, but, having seen and heard the original demonstrators in the witness box, we have little reason to doubt that many of them would have been quite ready, on the evening of the 6th, to throw stones at the police or at passing traffic and play the sort of hide and seek that was so vividly described by many witnesses. The potential for violence was demonstrated on the previous evening when police orders were defied and Mr. SUTCLIFFE was assaulted by at least one demonstrator, who subsequently resisted arrest.

441. The picture presented by these riots, as in many cases elsewhere, shows how readily, in a crowded urban environment, one incident can lead on to another and how easily relatively innocent but excitable youths can get drawn into actions which at first may seem rather fun—little more than shouting, gesticulating, laughing, making a noise, throwing a stone and running away from somebody who is trying to catch you. The further step to breaking and looting is not a difficult transition. We think this transition was the real source of the violence, although there may have been, on occasions, a hard stratum of more determined and more ruthless individuals, anxious to heighten tension, and not merely to create disorder but to exploit it; individuals who could quickly gather round them, and, if necessary, egg on the more excitable but less committed by-stander or teenager who was ready 'to have a go'. The fact that in 'having a go' he made his target the police, buses, parking meters or the private car carries little special significance because these appear to be the normal targets in teenage riots throughout the world.

Summary

442. One could perhaps sum up all this by saying that the scene was set for demonstrations through a partial failure of communications over the Star Ferry application, and a consequent wide divergence on this issue between informed and uninformed opinion as well as by a campaign which drew attention away from the real point for decision towards an area where feelings and emotions tended to play a dominant part. Against this background, the disturbances in Kowloon on April 5th and 6th sprang from a protest by one demonstrator who captured the passive interest and sympathy of a substantial section of the public and the active support of a small group of young people. This demonstrator was strongly motivated by the campaign in opposition to ferry fares and by political views which had little connection with that issue. His arrest by the police occurred after publicity had drawn towards him a considerable measure of 'hero-worship' and this gave his supporters the advantages of contact with 'martyrdom' as well as increased

sympathy and support. The escalation from this point was rapid, springing from the volatile excitement engendered by groups of young men chanting and carrying banners as they marched at night through crowded streets where a number sympathized with their slogans.

What lessons can be learned?

443. From all this one lesson is obvious and simple; that any group of young men parading through the heart of Kowloon at night with banners and with slogans about a controversial public issue is a real potential threat to public order: but these events also disclose a deeper and more complex problem.

444. As already indicated in Part II, the T.A.C. and the man in the street were not directing their attention to the same question but, even if they had been, the gap between informed and uninformed opinion was so large that it was unlikely they would have given the same answer even if they had been asked the same question.

445. The virtual disappearance of vocal opposition after the riots—swept aside perhaps by a general revulsion from these violent excesses—may tempt one to think that the great majority of the people really did not have very strong convictions and were only superfically and briefly committed to opposition on a matter which, in the ultimate analysis, did not affect them very deeply. But even if that is not too facile a conclusion, one cannot feel very happy about a state of affairs which requires a near catastrophe of this kind to bring public opinion to a realistic appraisal of the issues. If a similar problem arises again, how are the man in the street and the man at the council table to be brought close together, so that the divergence of their views does not become so menacing and so ready an opportunity for conflict as on this occasion? How can the gap be bridged? To put the uninformed or inadequately informed at the council table, so that the advice tendered will reflect these qualities, would not appear to be a very satisfactory solution. It would seem that the solution towards which we must strive is to give the man in the street that measure of information and understanding, that capacity to form a sound judgment which will bring him closer to the council table. To this end there are only two mass media available, the radio and the press, of which the press is still the more pervasive and persistent influence. By the leaflets distributed on the 6th, Government tried to make a direct contact with the man in the street but, in Hong Kong, Government has no party press of its own, anxious to put over a particular policy, and in matters such as this has to rely on the freely given co-operation of the 'fourth estate'. For such co-operation goodwill on both sides is of course required and a common intention: the intention to provide the man in the street with as much information as possible on the major economic issues of the day in Hong Kong.

446. Government can and should provide many of the facts but the decision to use them, to present them, and the manner in which they are presented, all depend on the editorial decisions of a free press. Here, of course, there can be something of a dilemma for editors who have to watch their circulation and their profits. The public may be quick to buy the sensational headline, with the shallow superficial text, or the paper which prints what the public finds agreeable and therefore wants to see; rather than a thorough analysis which reflects both points of view. This must place a heavy demand on an editor's high sense of responsibility and on the skill of journalists, who, when in possession of the necessary information, can interest their readers in the full facts: a formidable task but one which Government, when it has discharged its task of providing the information, may legitimately hope will be shouldered with courage, determination and ability if the press is to maintain the status to which its importance can justly lay claim.

447. The newspapers probably provide the most effective channels between the Government and public opinion, and it is in the people's interest that these channels should be freely used and that Government and all concerned should keep them full and flowing. But it is also in the people's interest that both Government and the people should seek to open and develop channels of every kind so that the lines of communication between Government and people are as many and varied as possible, and wide enough to find room for a two-way traffic; with information, guidance and ideas flowing on the one hand and sound sensible criticism as well as ideas on the other.

448. Indeed, this is a field that extends beyond Government relations. The Star Ferry controversy would suggest that the public image of Hong Kong utility companies in general leaves room for improvement, Press comment tends to feature remarks such as 'greedy', 'selfish', 'inefficient', 'poor service', 'rude employees' etc. Many of these may be based on a misunderstanding of the problems faced by the companies and it is questionable how far they were intended to apply to the Star Ferry service as such and still more questionable whether, if so intended, they were justified. The comments of visitors tend to suggest that its service and its prices compare favourably with those found elsewhere. Nevertheless, public opinion being what it is, there may well be a case for utility companies to exert and extend every effort towards improving their image both by keeping the public informed of their problems and their achievements as well as by providing and maintaining a good and, where necessary, an improved service.

449. One further point may be mentioned. When a matter is referred to a committee, such as the Transport Advisory Committee, it would seem highly desirable that organs like the press and the radio, and organizations which can strongly influence public opinion, should endeavour to see that, pending the Committee's advice, the matter is not virtually prejudged or unduly prejudiced. In the present case, this principle appears to have received a considerable measure of recognition.

As we have seen (para. 55) the general level of publicity on the subject in the press died away during this period, but there were some hostile editorials and the tide of public opinion had already set so strongly against the application that it would have taken an effort, at this juncture, to persuade the public not simply to keep an open mind but to reopen its thinking on the subject. In similar circumstances in the future there would appear to be advantage in an early decision as to whether a matter is going before an advisory body and in making every effort thereafter to keep public opinion on the issue open until that body has reported.

450. These are deductions from the actual riots and their immediate origins, that may be worth studying for the future but, when considering disturbances like these, there is generally more to be learned from looking beyond the immediate causes that triggered off the violence to the underlying and persistent problems which tend to create the riot potential; the environment, the atmosphere and the inflammable material which is susceptible to the sudden spark. To these problems we devote a final chapter.

CHAPTER 2. ALLEGED CAUSES OF UNDERLYING UNREST OR DISCONTENT

451. The absence from these disturbances of any specific social or political aim makes it difficult to pinpoint with certainty the underlying reasons that led up to them. This difficulty is increased by the fact that none of the possible causes suggested to us was acknowledged by any of the participants who gave evidence as having been more than peripheral in his motivation; an attitude no less clearly reflected in the interviews with the prisoners in Chi Ma Wan and the young detainees at Begonia Road.

452. Nevertheless, we believe that it is probably more important to try and identify those causes of unrest in the community which have created and may continue to create fertile ground for anti-social or deviant behaviour, than to dwell on the particular incident or incidents which lit the match in April 1966.

453. During the course of our Inquiry we received some useful statements from sociologists, and a number of witnesses with experience in various fields of social welfare work in Hong Kong gave oral evidence to supplement written statements expressing views as to the underlying causes. In the succeeding paragraphs of this chapter, we list and comment on various factors which have been mentioned or advanced in evidence before us and/or have gained currency through press publicity.

454. In recording these views, we do not, of course, wish to imply that we necessarily agree with them, either in part or in whole. When appropriate therefore, we have interpolated comments of our own, but would emphasize that these are

not the comments of professional social scientists, arrived at after subjecting the various factors to the test of established sociological theories. They are lay opinions, delimited and coloured by our knowledge and experience of the local community, and based on the evidence available to us regarding the motives of the actual participants and the moods of the crowds.

455. For ease of reference, we have subdivided these factors under the general headings of (A) Political, (B) Economic, (C) Social Conditions and (D) The Special Problems of Youths, although it is evident that in some cases the factors overlap or fall between two headings.

(A) Political

456. The placard supporting the K.M.T. found abandoned in Nathan Road, as apparently being of no interest, told its own story. Commentators generally agreed that external politics played no part in these disturbances and that, in contrast with the riots in 1956, there was almost a total absence of Communist—K.M.T. rivalries; the significance of this is likely to be that the younger generation in Hong Kong is currently less interested in the ideological struggles of which their parents had experience on the mainland.

457. With regard to internal politics, the thrusts at 'colonialism' in one or two of the demonstrators' speeches seem to have evoked little response and only one witness, Mr. BERNACCHI, claimed that the lack of elected representation in the higher councils of Government may have been a causative factor. Most commentators agreed that there were few signs of any emerging demand for political representation.

458. Although the political element was minimal in this sense, considerable emphasis was laid by some witnesses on the effects of a feeling in Hong Kong of impermanence, of a lack of belonging and of elements of misunderstanding between Government and people.

Impermanence and Not-Belonging

459. Social workers gave evidence of a sense of insecurity amongst young people in Hong Kong arising from a feeling of impermanence and of not-belonging. They held that the former arose partly from the traditional view of Hong Kong being an entrepôt for people as well as goods, a place where one worked for a time and then hoped to move on; this view was accentuated by the coming and going of expatriate staff in Government and commercial firms, and also by the evident advantages of going abroad.

460. Some social workers felt that this sense of impermanence, enhanced on occasions by unreasonable fears of deportation contributed to a sense of not-belonging and of not having a real stake in the community of Hong Kong. But

this feeling of not-belonging applies not only to Hong Kong; it extends further than that; it is based on the realization by Hong Kong youth that their native home as their parents knew it no longer exists and the chance to recreate it either here or abroad is denied to them. The decision made by their parents in choosing to leave China and live in Hong Kong has forced them to accomodate themselves to a life which is neither of their own choosing or making, nor is it one that they can at present change to one of their own liking. To belong, our Chinese youth must be induced to accept Hong Kong.

461. We endorse the view that there is a need to develop civic consciousness and a responsibility to Hong Kong; the comparative lack of which may be explained by the absence of a strong feeling of identification. However, we have no evidence that this feeling was prominent in the type of young people who were involved in the disturbances and we do not believe that it had any significant causative effect.

462. We feel that the majority of the population have accepted Hong Kong as a home because of the lack of a satisfactory alternative and despite the traditional mainland pull of culture, language and clan or the more recent ties with other countries through relatives and friends who have emigrated. Lack of homogeneity in the population tends to inhibit the development of a widespread and strong civic feeling as illustrated by the vigour of the clan and neighbourhood associations; we would, however, sound an immediate note of warning against weakening the support inspired by these ties before there is a broader but no less effective bond of cohesion to take their place. They could indeed provide the foundation for a wider loyalty.

463. Nevertheless with a new generation growing up who have never had experience outside Hong Kong it is important to develop avenues for participation in the life of the community and to give expression to young peoples' zeal for service. Possibly schools could give more emphasis to civic education and to practical service to the community: a point to which we return later[1].

Attitude to Government

464. Evidence was given of a belief in some quarters that the task of the Hong Kong Government is to make a profit for the United Kingdom whilst one social worker also spoke of a certain amount of resentment at the colonial status of Hong Kong and a feeling that Government, as such, adopted a superior attitude towards Chinese people: fallacies which, one hopes, will fade before the continuing evidence to the contrary.

465. Some witnesses spoke of resentment caused by being shuffled around between offices—'They have to talk to too many people before they find someone

(1) See Social Conditions, para. 530 et seq.

who can do anything about it'; the domineering attitude of certain minor civil servants; and the apparent inhumanity—though admitted efficiency—with which social services are administered.

466. Remedies suggested for this state of affairs pursued themes that are by no means original but which do not suffer from repetition; for Government to demonstrate more clearly its responsiveness to public opinion; the creation of improved channels of communication for both major and minor problems; the development of more personal contacts between Government servants and the public; and the extension of the Urban Council ward system and/or the establishment of Citizens Advice Bureaux as an extension of, or in addition to, the present 'Public Enquiry' system.

467. One witness, however, spoke of the equal importance of community leaders working harder to 'build bridges' and to stimulate a more informed and constructive approach to public issues. He felt that the community had to play a more responsible and constructive part in relation to important social issues, and he warned against too much indulgence in the personal self-satisfaction and complacent glow which comes from merely criticizing others, particularly the Government.

Comment

468. In recounting these views, we are very conscious that none of these factors was specifically mentioned by any of the demonstrators and rioters as a motive for his participation in the disturbances. Nevertheless, the evidence relating to the ferry fare issue and the outbreak of disturbances had led us to the conclusion that there was, to some extent, a failure in communication between Government, the press and the general public and, consequently, that there is need to take particular note of any factor which is put forward as a contributory or likely cause of such failure.

469. The emergence or existence of a gap between the Government and the people is a continual danger and anxiety for any form of administration, whilst a colonial or bureaucratic government tends to be at a disadvantage in evoking or securing the support of its people, even though it may provide the most efficient administration and offer the best chances for their economic and social progress. But, the evidence before us did not indicate that the vast majority of the population would welcome any fundamental change in the constitutional form of the Government or that this was a material factor in causing the riots. We were left with the impression that those who complain are seeking not so much a change in Government, as readier access to the Government.

470. In this connection, however, two matters emerged as tending to create a gap between Government and the people which might well merit closer attention in the future: (*a*) difficulties arising from the fact that the language of the law

and of much of the administration is not understood by the bulk of the population; and (*b*) the centralization, both physical and organizational, of the Government which has been conducive in the past to efficiency and economy in the provision of services but which has tended to create an image of detachment from the actual problems of the man in the street. But again we believe that few would welcome the complete reversal of the present approach in the interest of bringing the Government closer to the people without any guarantee that this would have a marked beneficial effect on general attitudes.

471. Nevertheless, questions such as these must be of importance to the future development of Hong Kong because unless the public has an adequate understanding and appreciation of Government's action, its policies and problems, much of our future social and economic progress could be prejudiced.

472. Before commenting on measures which might be adopted we took particular note of the following views expressed to us:

(*a*) that the Government's record has been outstanding in many fields and it would be a mistake to equate the vague public dissatisfaction expressed in these statements with the solid facts of the Government's achievements; indeed, one of the more disturbing and important features of this Inquiry has been the disclosure of how little is known of those achievements amongst wider sections of the population, and the readiness of members of the public to accept statements about Government's disinterest in their welfare and well being; we were told that in the absence of positive evidence that Government is concerned about them many may well not believe in its goodwill; and

(*b*) that much of the reported dissatisfaction arises from inertia in the population and an unwillingness to believe that administrative knots can be untied or legal rights obtained other than through influence or even bribery; often people are unaware of existing channels of communication or hesitate to use them.

473. It must also be remembered that the original evidence of dissatisfaction came largely from people who have taken the trouble to contact a welfare agency or a Councillor to right a genuine or imagined wrong and may therefore be quite untypical of the general population which is probably appreciative of the comparative security, freedom and stability they have enjoyed in Hong Kong. Moreover just as ill-founded rumour played a strong part in moulding public attitudes during the disturbances, as evidenced by the stories of unjustified police arrests, of plots and targets, it is probable that some of the dissatisfaction can be attributed to a false impression that the Government does not care. As an example of the response to the belief that Government does care, mention was made of the ready co-operation with authority and its enhanced reputation which followed its efforts to meet the 1963 water crisis.

Summary

474. We would summarize our conclusions on these matters as follows:

(*a*) The causes of dissatisfaction alleged against the Government are complex and a number of them are beyond the powers of the Government to influence.

(*b*) A recent tendency—not only in Hong Kong—to ascribe all the failings of the community to errors by the administration and to make greater demands upon it tends not only to enhance discontent but to exaggerate their extent.

(*c*) A contributory factor has been a rapid growth in the aspirations of the community and a consequent dissatisfaction when the visible results do not keep pace with these aspirations.

(*d*) There is evidence of a growing interest in Hong Kong on the part of youth and a tendency to protest at a situation which their parents might tacitly accept. This tendency is accentuated by a growing awareness of unrest in other countries through education and contact with mass media of communication.

(*e*) We do not believe that the Government deliberately ignores public opinion and there are a number of instances where constructive proposals have been readily accepted. However, the degree of misunderstanding of Government's aims exposed by our Inquiry emphasizes the importance of ensuring that its policies and problems are clearly explained and the public's co-operation in their implementation actively pursued. Possible means of achieving this are by a greater degree of decentralization of administration with a view to providing a range of simple services at the local level in order to build up local community spirit and improve the public's access to Government: by developing local representation on advisory, consultative or executive bodies at a local level: and by a greater consciousness of the need for public relations at all levels.

(*f*) This situation presupposes a duty on the part of the educated and articulate minority to engage in informed and constructive analysis of any issue under discussion and to avoid weakening the confidence of the public in the administration without proposing any practical alternative. The only outcome of the latter could be a slowing down of investment and a flight of capital.

Public attitudes to the police

475. Some evidence was given by social workers regarding general attitudes towards the police prevalent amongst sections of the population with which they had contact. They referred particularly to friction between the public and the police which they thought arose from:

(i) a tendency to impute failure to enforce certain laws, particularly in respect of gambling and narcotics, to police inefficiency and corruption without appreciating the difficulties and making allowance for the possibility that effective action was hindered by lack of information, lack of legal proof, limitations of staff, inadequate co-operation from the public and other reasons;

(ii) a belief that police powers were excessive and used in arbitrary fashion: this was specifically related to deportation; a subject on which there appears to be much public misunderstanding; and

(iii) the unpopularity attaching to the police through their dealings with generally law-abiding sections of the public e.g. motorists and hawkers, for what are sometimes called 'technical' offences, where public sympathy is more likely to be attracted to the offender than in other matters.

476. In answering these points, the Commissioner of Police drew attention to the very high rate of crime detection achieved by the police in relation to ordinary crime, which both indicates their efficiency and the contribution they are making to the great measure of personal freedom and liberty enjoyed in Hong Kong combined with reasonable protection for person and property; a difficult task in any community. He went on to mention the number of complaints of all sorts and kinds brought to the police by the public which did not indicate any lack of confidence in the Force in general, and the readiness with which the public turned to the Force for assistance in circumstances of difficulty or disaster, such as fire, floods and the like. He went on to point out the difficulties faced by the Force because of certain long-standing attitudes to police in this part of the world and an innate resistance to certain laws which the police are required to enforce. Left to themselves, without check or control, hawkers, he said, would block every main street in the city and so would the parking of cars. But this was of little assistance to the police when they had to move against the individual hawker, who was anxiously competing for a living, or the individual motorist; any more than when they were required to enforce laws not fully acceptable to substantial sections of the public e.g. provisions relating to gambling and narcotics.

Comment

477. We note that public hostility to the police is a matter of comment and concern in many countries to-day and that experience elsewhere has shown a connection between declining respect for the laws which they are employed to enforce and declining respect for the police.

478. We think much needs to be done in Hong Kong as elsewhere, to educate the public to an understanding of the need for a great deal of the legislation which the police are responsible for enforcing. No constructive purpose is served by

criticizing the police without considering the part played by society in encouraging or harbouring the offence e.g. narcotics and gambling, and by legislators when they bring matters such as these within the category of crime. As for deportation, the evidence does indicate that there is a measure of unjustified fear prevalent amongst some Chinese in this regard but we found no evidence that it was a causative factor in the riots; in fact there is a logical inconsistency in suggesting it was, for if people really believed the police had such drastic disciplinary powers, they would surely avoid bringing themselves to the attention of the authorities by rioting. Nevertheless we feel Government should endeavour to ensure that the real facts regarding the law relating to deportation or detention, when deportation is impossible, are made clearer to the Chinese population. That the latter power is being used with care and restraint was illustrated by the evidence from the Commissioner of Police that the number so detained when he spoke was six.

479. The comparative absence of a decentralized administration, particularly in the densely populated area of Kowloon, and the slow growth of an effective system of leadership at the local level has, we believe, thrown a heavy burden on the police. This may indeed have contributed to an impression which we were told exists in some quarters that 'the Government does not care and gives all power to the police': a misconception which it is clearly desirable to remove.

480. The police must also anticipate that the very nature of some of their tasks will attract towards them a measure of dislike. Furthermore, they must expect that the bad or disgruntled policeman who will almost inevitably be found, on occasions, in so large a force, will give rise to genuine grievances or to misrepresentation which will affect the public's attitude to the police as a whole. To counteract this, it is necessary not only to maintain rigorous standards of rectitude at all levels and a constant vigilance for every opportunity to correct and dissipate any misconception or misapprehension that comes to attention or can be uncovered, but also to seek out and promote public co-operation and assistance.

481. The Commissioner welcomed the idea of a scientific survey of public attitudes which would obviously provide a clearer insight into the measures needed in the long term. In the short term it may be possible to improve the 'public image' by closer contact with the public, as instanced by the 'school patrols', as well as with the press by more publicity of the measures taken by the police and of the problems encountered in their fight against crime and by increased attention to public relations at all levels.

482. All this implies, of course, a no less compelling duty on public leaders, the press and all who are anxious for the preservation of law and order to avoid encouraging any erosion in the public's respect for the law as such and for those who are enforcing it.

(B) Economic

483. Some emphasis was laid in the oral evidence before us—and prominence given in the press comments mentioned in Part II—to the existence of a widespread belief that, after a period of stability and rapid economic progress, Hong Kong had entered into a period of business depression and price inflation. Several of the demonstrators/rioters mentioned their fears that an increase in Star Ferry fares would lead to 'chain reactions' and 'price spirals', and other witnesses referred to the insecurity which people had experienced since the bank crisis of early 1965, when two local banks had to close their doors.

484. In these circumstances, we devoted some time to an examination of the economic conditions prior to the outbreak of disturbances and we considered the official statistics relating to the cost of living and to wage rates in selected industries and heard evidence on these figures. We noted, on the one hand, that earnings from exports and tourism continued to expand and that bank deposits in general continued to increase and, on the other, that the increase in the average cost of living had been approximately 2% per annum over the past eight years which had been more than compensated by average increases of 8% per annum in wage rates in those manufacturing industries where records are kept. Unfortunately, no statistics are available to show wage rates or earnings in other jobs and those relating to manufacturing industry reflect only approximately 55% of all industries. Nevertheless, it appears that many wage earners have been able to improve their position and their standard of living with the continuing growth of the economy and the existence of a large number of vacancies in industry and the service trades.

485. Of course, general trends of this kind do not affect everybody or affect them uniformly. Indeed, individual cases of real hardship may be masked. Moreover, it is sometimes not the facts which count so much as what people think to be the facts and, as we have seen, there are a number of people in Hong Kong particularly sensitive to any suggestion of general price inflation.

Banking Crisis

486. The strength of the banking system as a whole was little affected by the bank runs in Jan./Feb. 1965 and total deposits at the end of February were only 2% below their level at 1st January. However, the runs undoubtedly did affect a large number of people; both depositors who incurred a direct loss through the banks being able to meet only a percentage of their deposits—there were 114,000 accounts in one of the banks which failed—and those who queued up outside other banks to withdraw their money owing to a loss of confidence. Furthermore, the encouragement of stricter lending practises than had been the case in certain banks before the crisis led to a tightening of credit in many spheres. Indirectly, the crisis itself and the aftermath of tighter credit and more difficult internal

trading conditions tended to induce a temporary hesitancy amongst investors, and to encourage a more pessimistic view of Hong Kong's future economic prosperity.

487. A persisting anxiety about certain aspects of the banking system and the effect of publicity given to sensational rumour was demonstrated again in April 1965 and in November 1965 when runs on other banks were only averted by swift Government action and strong support from the major banks.

Real Estate Recession

488. The view was expressed that much of the widespread public feeling of insecurity originated in the recession which was experienced in early 1965 in the real estate market and its many ancillary activities. Since land development had previously enjoyed the reputation of being one of the most profitable investments in Hong Kong and had attracted large sums of money from overseas Chinese, it seems that the sudden drying up of this avenue for investment, which was evident for all to see in the large numbers of empty flats, may have led to a feeling that Hong Kong's economy was more insecure than is actually the case. Furthermore, a number of workers who had been attracted from other industries to the construction business during the boom years may have suffered some loss of wages on re-employment elsewhere.

Dependence on Foreign Trade

489. There was some evidence to show that many people are conscious of the degree to which Hong Kong's prosperity is dependent on manufacture for export and that an important element in the dread of rising prices is the fear that Hong Kong's exports will be priced out of their markets.

490. Another aspect of this awareness of the critical importance of foreign trade is a growing appreciation of the threat to Hong Kong's prosperity through the imposition by a number of countries of quotas or restraint agreements on the more important exports. An instance of this was the considerable alarm caused by the U.K. Government's decision in October 1965 not to permit carry-over into 1966 of unused quotas under the 1963-65 cotton agreement. It would appear that the sense of dismay caused in Hong Kong at this news was greater and more widespread than on similar occasions in the past.

491. We believe that these factors contributed to a growing feeling amongst large sections of the public of worry and insecurity about the future and to the large measure of support given to the opposition to price increases by petition and demonstration. Those who had already achieved a reasonable standard of living would naturally tend to worry about rising prices eroding the standard they had achieved and about the safety of their savings. Those who were struggling to achieve a better standard of living—the majority in Hong Kong—would tend to

feel frustrated at the threat to their aspirations posed by rising prices and a slowing down in the growth of the economy and of their own pace of achievement.

492. On the evidence of the rioters themselves, we do not believe that any of those factors were direct causes of the riots, and this view finds support in the many thousands of people who must be suffering economic hardships, but who did not participate. Nevertheless, it is reasonable to assume that some demonstrators were motivated by feelings of frustration at their own economic situation and the obvious gap between wealth and poverty in Hong Kong. We would accept the assertion that feelings of frustration and jealousy must be a natural reaction amongst members of a generally underprivileged section of the community faced with limited chances in life owing to inadequate opportunity, education or skills. Young people particularly would tend to look at any gap between their aspirations and their achievements as unjust and to resist any widening of that gap even if this were caused by a raising of its upper limits, which did not necessarily have any adverse financial effect on them personally at the time. Some feeling of frustration must inevitably result from the realization of being left behind in the race to affluence. Nevertheless we believe this to be the exception rather than the rule in Hong Kong: where the average young person welcomes and seizes the opportunities to carve out a better future than his parents were able to do and concentrates his attentions on this objective; being far too sophisticated to think of trying to solve economic problems by violent means.

493. A second aspect of this type of motivation would derive from the conditions of full employment, rapid turnover of jobs and general social mobility which exists in Hong Kong. These factors would tend to enable young men to kick over the traces without fear of direct economic retribution. The multiplicity of jobs held for short periods by some of the more prominent demonstrators and rioters was significant.

Employment

494. In view of newspaper reports of growing unemployment as a result of a recession and since a number of the young people involved in the disturbances claimed to be unemployed, we examined the available statistics concerning employment in Hong Kong. These are confined to a record of the number of persons notified to the Labour Department of the Hong Kong Government as being employed in registered and recorded industrial undertakings and to a record of vacancies in these establishments voluntarily notified by employers.

495. The former indicated a continuing growth in industrial employment from approximately 230,000 in March, 1961 to over 353,000 in March 1964 and 376,000 in March 1966. In view of this increase together with the very large increase in employment available in other industries, such as the hotel and tourist trades, which have grown very rapidly in recent years but of which no employment figures

are available, we are satisfied that unemployment was not at the time a serious problem for younger people in Hong Kong. This conclusion is also supported by the figures of vacancies notified, which stood at 5,653 at the end of March, 1966.

496. Although one witness spoke of fear of unemployment being a significant cause of unrest amongst unskilled workers, we feel that this is probably only a part of the general sense of insecurity springing from the uncertain future.

Wages and Conditions of Work

497. In inquiring into the social background of individual participants and into the widespread comment on economic conditions we also turned our attention to industrial wages. The main source of information in this respect is the Labour Department's wage change index, which is based on a survey of wage rates in selected industries and is qualified by a number of admitted limitations, fully set out in the published documents. In spite of its limited coverage and the qualifications regarding its compilation and use, it is a useful indicator of trends and discloses the following pattern from the base year 1958:

March								*August*	*March*
1958	59	60	61	62	63	64	65	65	66
100	103	125	129	137	143	163	173	182	188

498. These statistics, taken in conjunction with the figures of employment just mentioned and with the rise in the cost of living for the average household of 14% between 1958-65 (see paragraph 484) indicate that Hong Kong has provided an enviable level of employment in the main industries and that this has been accompanied by real wage increase in the sphere of the economy affecting the majority of workers.

Summary:

Economic factors

499. We believe that economic problems occupy a predominant position in the minds of the majority of the population and that any threat to their aspirations of a better economic situation will be viewed with great concern.

500. We agree with the economist's view that there was nothing in the economic situation in April 1966 which would have led one to expect a riot; but we think that worries about the general economic situation and uncertainty as to the future together with psychological fears of inflation arising from a number of reported cost increases in the public sector were a source of public concern and created an atmosphere in which demonstrations could find support. Whilst the economic situation did not cause the riots it contained factors which contributed to an ill-defined and vague sense of uneasiness.

501. *Employment and Wages.* Whilst working conditions have certainly improved it would appear from the evidence of some of the young people involved in the disturbances that working conditions still leave room for improvement and that long hours spent at unrewarding jobs can be a powerful stimulus in a quest for excitement which often leads to anti-social behaviour. But legislation alone is unlikely to provide a solution to this problem since the major contribution to the improvement in conditions must come from a continuing growth in our economy and the capital necessary for growth will not be retained in or attracted to Hong Kong unless the rewards for investment are better here than in other places, which can offer greater stability through the existence of a large domestic market and/or a more settled international situation. Nor can we afford to add to these handicaps a threat of internal unrest. In this the community needs the active co-operation of its young people. Whilst endeavouring to improve their lot, we must also try to make them realize that the efforts of those who strive to better working and living conditions here can never be crowned with substantial success if the behaviour of the very people they are trying to help provides a threat to the internal security and economic health of the community.

(C) Social Conditions

502. Public discussion of the major social services in Hong Kong, in particular of housing and education, has recently increased and certain aspects of these were brought to our attention as causes of some unrest or dissatisfaction. But the social workers who drew attention to these factors did not claim them to be direct causes of the riots and they were scarcely mentioned by the rioters themselves as being motives for their participation.

503. On the other hand, most of the participants in the disturbances were comparatively poorly educated, poorly housed and poorly employed, as has been shown to be the pattern in many other riots elsewhere, and there was a feeling among social workers who gave evidence that, since demonstrations and rioting are abnormal behaviour in Hong Kong, there must be economic and social reasons for the disturbances. Alternatively, it was suggested that the existence of an undercurrent of suppressed frustrations and resentment provided fuel for the spread of the disturbances.

504. The factors most frequently alluded to were deficiences or defects in (i) *Housing*, (ii) *Environment*: *physical and social*; (iii) *Education* and (iv) *Community Spirit*.

(i) Housing

505. Evidence from social welfare circles laid stress on the fact that the riots had broken out in the most congested areas of Kowloon and suggested that overcrowded housing conditions may have been a causative factor.

506. It was pointed out that apart from the sheer discomfort of inadequate housing and its adverse direct effect on the general health, slum conditions had wider indirect effects on family life in splitting the Chinese family unit, in forcing the children into crowded streets where they were often outside control of their parents, and on education and general social development by lack of privacy and denying the children space to do their homework, to study or to meet their friends.

507. The tensions generated by overcrowded housing conditions were exacerbated in these areas by the overcrowded streets and the lack of recreation space. From these conditions, it was held that frustration would naturally arise amongst young people hemmed in by buildings, noise, dirt, smoke and smells which could lead to the aggressive expression of their frustration and discontent when the opportunity occurred.

508. On the other hand, it was pointed out that no direct connection could be shown between poor housing conditions and the disturbances, and there were other areas with equally poor housing conditions which remained quiet. Moreover the conditions have not only been in existence for a long time without causing disturbances, but have been improving markedly—though perhaps not speedily enough—in recent years.

509. Social welfare circles felt that persons living in Government resettlement or low-cost housing estates were comparatively satisfied and they attributed this to greater security of tenure, reasonable rents, more open space and a greater provision of Government and voluntary agency services.

Comment

510. We have indicated at an early stage why we think the riots found their location along Nathan Road, north and south of Mong Kok. Consequently, we think that too much significance should not be read into the housing conditions in that vicinity. Nevertheless, we agree that housing is of prime importance to nearly all sections of the population in Hong Kong. As in other countries in the world which have experienced a refugee influx, it is the most obvious sign of the 'problem of people'.

511. In Hong Kong, it was the first aspect of the population explosion which attracted large scale efforts by Government in the shape of the resettlement programme and other Government-assisted housing agencies. These together have provided housing for nearly one million people in the last 12 years and private developers have made housing available for nearly two million. As one witness remarked, this is an achievement of which too little is known locally.

512. Nevertheless, it is clear that the problem still remains a large one with the need to rehouse great numbers from squatter areas and deteriorating old buildings as well as to reduce overcrowding in the existing estates and to plan for urban renewal in the older urban areas such as Yau Ma Tei.

(ii) Environment: Physical and Social

513. Related to the question of overcrowded housing conditions is that of the lack of open space which is particularly severe in Yau Ma Tei and Mong Kok. Social workers again felt that this may be a continuing cause of tension amongst the residents of these areas and stressed the need for a greater provision of recreation grounds and open space in the overcrowded urban areas. They felt that a proportion of this open space had to be in the immediate vicinity of the residential areas in view of the limited leisure time available to most of the poorer people.

514. As in the case of inadequate housing, however, it was pointed out that the shortage of open space and recreational facilities was not mentioned as a causative factor by any of the participants in the disturbances. Furthermore, the shortage is not confined to the area in which the disturbances occurred. It is equally serious in other areas and the situation has been improving noticeably.

Comment

515. Overcrowded housing conditions and shortage of open space are two aspects of urban congestion which point to the need for a continuing programme of urban renewal and new town development. These are costly in time as well as money and may, in turn, create new social tensions through the displacement of large numbers of people into a new environment.

516. Nevertheless, we believe that the growing aspirations of the population demand a better social environment and as this can only be achieved, to the extent necessary, by a combination of new building and re-building we would strongly endorse any proposals, such as the development of new communities, designed to reduce population stress in the central areas of Hong Kong and Kowloon.

517. The absence of evidence as to any direct connection between the lack of recreational outlets and these disturbances is not unexpected. The link is more likely to be indirect and scarcely apprehended, and although social inadequacies of this kind are not in themselves sufficient to cause people to lose self-control and to riot, we believe that they are universally recognized as factors in creating dissatisfaction. In Hong Kong in particular, the full use to which all such facilities are put is eloquent evidence as to the priority of their need. The April disturbances also show the potential when deviant outlets are found for surplus energy and emotion.

518. *Social.* Witnesses also spoke of the undesirable effect, particularly on young people, of the evident spread of bars, dance halls and brothels through the areas in which the disturbances took place. Mention was also made of the number of undesirable films, books and magazines.

Comment

519. This situation is clearly a symptom of the general criticism that there is a declining morality in Hong Kong and the growth of these establishments in ratio with the growth of affluence is clearly a strong temptation to young people and needs to be countered by healthier interests.

(iii) Education

520. In recent years education has come to play an increasingly conspicuous part in relation to riots the world over and is generally found to be instilled into the riot picture either (*a*) through college and university students who feel impelled to express their convictions about certain civic problems by organizing or participating in public demonstrations, or (*b*) through youths whose poor education, whether due to lack of ability or of opportunity, leads them to express their dissatisfaction with their lot in a similar manner.

521. In the evidence given before us there were indications of a healthy interest by university students in the Colony's economic problems which were being given public prominence during the demonstrations, but, apart from one or two minor references—e.g. the well-mannered group in Prince Edward Road on the night of April 6/7th—there was no evidence before us to suggest that the student élite took any significant part in the disturbances.

522. On the other hand, there was ample evidence that many of the demonstrators who appeared before us had received little or no education beyond the primary school stage. Even so they gave us no reason to believe that this was one of the reasons why they demonstrated; it may however have been a contributory cause to a general attitude of discontent with their lot in Hong Kong. This view was supported by witnesses who laid stress on the inadequacies in our educational system. The S.C.A. drew our attention to the tendency to connect youthful unrest with a failure of education and, because of Government's large responsibility for education in the Colony, to blame Government for any educational deficiencies believed to exist.

523. The criticisms of our educational system most frequently mentioned were: lack of universal primary education; shortage of school places at all levels; the burden of school fees preventing deserving students from continuing their studies; excessive preoccupation with examinations resulting in a feeling of failure amongst dropouts and the ignoring of other educational aims; the lack of vocational education; and the lack of moral education.

524. Commentators agreed that all sections of the population in Hong Kong place great importance on education and this is evidenced by the hardship which parents endure in order to give their children the best possible preparation for the struggle of life. It is possibly a result of this concern and of the importance

placed by parents on the acquisition of a good education as a passport to success, that an apparent failure in the educational system should lead to a general chorus of criticism.

525. We are not qualified to investigate and comment at length on all the matters raised. Nevertheless, the following points appear to us to be significant.

(a) Provision of school places

526. The figures show that the number of school places has been increased in the past five years to a very substantial extent and it is hard to imagine what greater numerical progress could have been made by the authorities without a considerable increase in both finance and trained staff. Without these, any increase in numbers must result in a lowering of standards. In March 1961, 450,374 were enrolled in primary and 88,694 in secondary schools; in March 1966, the numbers were 636,455 in primary and 195,802 in secondary schools.

(b) Type of education

527. A common criticism directed at the social relevance of the education provided was that too large a proportion was geared to academic subjects with the aim of turning out white collar workers. Evidence was also given of the middle school leaver's frustrations when confronted with the unrewarding openings available to the superfluity of candidates for white-collar jobs; this was in contrast to statements by manufacturers and other employers on the shortage of technically educated young people with an interest in an industrial career.

528. This suggests that education is insufficiently adapted to the employment needs of Hong Kong, but the initially poor public response in the early years to the secondary modern schools designed to promote this adaption, indicates the need, when making a changeover, for considerable public education on the prospects available for blue collar workers and the importance of their work.

529. Particular significance attaches to the age group between 12-14; the latter is the minimum age for industrial employment and the generally acceptable age is 16. Consequently there can be considerable unrest and frustration amongst those completing primary school at 12 who, either through the limited number of secondary school places on for some other reason, are unable to enter secondary school, only to find that they cannot be employed in industry either. The White Paper on education has drawn attention to the existing policy of seeking to bridge this gap by making provision in primary schools for a further period of secondary education for those who wish to remain at school, but the evidence given to us would suggest the desirability of trying, in addition, to make more places available in vocational or technical training for young people in this age group.

(c) Character training

530. A number of witnesses stressed that most schools were concerned with an academic syllabus and examination results at the expense of moral guidance, civic education and recreation. Few would dispute that education should do more than provide an academic learning, although we would draw attention to the view of a youth leader that Hong Kong students themselves tend to resent time taken away from examination studies.

531. With the examples before us of the outstanding success of the Schools Music Festival during the last decade and more recently of school quiz competitions and exhibitions, to mention only three of the excellent extra-curricular activities now so popular and so well-established, we feel justified in suggesting that more time could, with advantage, be found also for more instruction in civic education at all stages of school work. Obviously, the next generation will enjoy more leisure than their parents and there is a consequent need to teach them how to fill their leisure hours in a constructive way.

(iv) Lack of Community Spirit

Race

532. It would be unusual if the heightened emotional atmosphere engendered by the disturbances did not give expression to latent feelings of racialism and nationalism.

533. Yet the small part played by racialism in these particular riots has already been noted. This situation appears to be a tribute to the usually tolerant attitude that exists between the races in Hong Kong. But there is no room for complacency on this aspect. It remains a potentially explosive factor whenever public emotion is aroused.

Community development

534. Many of the factors mentioned by witnesses and referred to in earlier paragraphs of this part go some way towards explaining the relative lack of a community spirit in Hong Kong. The need to develop a sense of community by breaking down the barriers posed by a diversity of language and place of origin is self evident.

535. The 1965 report of the Director of Social Welfare relates the achievements of the existing community centres and states (p. 6):

> 'If there is one imperative need obvious above all other in Hong Kong, it is to take determined and unfaltering steps to stimulate a sense of community and social responsibility. The phenomenal post-war growth of the population and the economy alike made for a lack of social cohesion as inevitable as it is disturbing. Hong Kong is in most practical ways not a settlement with a history of 124 years—much less an outpost of the world's most ancient continuous and uniform culture—but rather a great assemblage of people, few of whose corporate

> memories can go back as long as twenty or twenty-five years without some traumatic break. ..... Between 1954 and 1964 the Government resettlement programme had rehoused more than seven hundred thousand citizens in densely compressed multi-storey "new towns", each with a population ranging up to 80,000 and in a few resettlement cottage areas; this figure represents some 20% of the whole population. Many thousands of families have been rehoused in this way but have little feeling of neighbourliness towards those next door and very little leisure in which to develop a sense of community. Such conditions present formidable difficulties in any attempt to encourage the new citizens to play a part themselves in the development of a coherent society.'

536. Qualified and trained staff and finance are clearly the major hurdles to be overcome in this field before very much progress can be made. We endorse the need for the extension of the present community centres in which a wide range of activities can be conducted and public participation in the affairs of the locality encouraged.

(C) The Special Problems of Youth

537. The prominence in the disturbances of youths between the ages of 15-25, evokes a number of explanations, some reflecting conditions common to many countries and others peculiar to Hong Kong.

538. Of the former the most likely appear to be:—

(i) mature people are more likely to need a cause to induce them to riot than more adventurous and less responsible youth, which is attracted by any exhilarating, exciting or unusual way of spending spare time; added to this, demonstrating is strenuous, and if it leads to flouting authority and to violence, it provides that spice of danger so much more attractive to boys than to girls, at the same time explaining the almost total absence of the latter in the crowds after the eruption of violence;

(ii) young people are generally recognized as having a lower threshold of control over their dissatisfactions; and

(iii) in many countries there is an atmosphere of teenage unrest, so it is not unlikely that young people in Hong Kong should be affected in a similar way by films, newspapers and magazines, and should derive satisfaction and encouragement from imitating what has become world news elsewhere.

539. Amongst reasons peculiar to Hong Kong, the following appear to be the most likely.

(i) As 50% of the population is under the age of 21 young people form a very significant proportion of the total population.

(ii) The leadership of the demonstration was youthful from the start of the hunger strike and the original demonstrator himself laid emphasis on

youth. The same note was struck by LO Kei who talked of forming a youth party. In these circumstances, it is unlikely that older persons would be encouraged to take an active part.

(iii) The excitement of demonstrations, street marches and the petty vandalism which later developed have a more potent appeal to certain types of young people.

(iv) The probability that young people in Hong Kong are affected to a greater degree than their parents by changing values and by the cross currents set up by the contact of the two cultures in Hong Kong.

540. The preponderance of young people in our population enhances the importance of examining the general matters referred to in the preceding sections and those areas of strain which particularly affect young people; although we are not unmindful of the dictum of one experienced social worker that too much talking about them may tend to create more problems than it solves.

541. The comments of some social scientists stressed a growing awareness amongst young people of social and economic conditions in Hong Kong and a growing sense of frustration at their limited chances in life and the apparently wide gap between their aspirations and their achievements. In speculating as to the causes of this situation, they pointed to changes in traditional values, in attitudes towards structural divisions in society and in growing aspirations of young people as a result of their contact with Western values and Western modes of thought. It was held by some that the riots were an expression in a deviant way of youthful discontent at the current social system and a defiance of authority similar to that which has already found expression in a number of other countries.

542. We are not qualified to judge on the validity of these observations but they seem to us to provide important and profitable fields for further study. Experience elsewhere and the evidence before us point to the probability that young people are less likely to put up with conditions which their parents accepted without complaint. However, it is generally admitted that very real improvements in conditions have recently been achieved in Hong Kong and that discontent with those now existing is certainly not universal and may not be widespread. The proportion of the young people, even amongst those living in the area of the disturbances, taking an active part was small, and the evidence suggested not only that these criticisms of conditions in Hong Kong owed much to the limits of their own actual experience and to a lack of standards of comparison with conditions in other countries at a similar level of development, but also that social criticism was a much less common motive for participation amongst young people than feelings of boredom, a desire to draw attention by demonstrating false bravado, and a lack of or refusal to accept alternative outlets for their surplus energy and emotion.

543. *Lack of care.* Amongst factors to which some social workers drew attention, less fundamental and less closely identified with the basic structure of our society, were youthful feelings of being ignored, neglected and misunderstood as well as inadequate provision of youth services. Young people are said to feel at times that nobody cares for them, neither parents, teachers, employers, society at large nor the administration. This attitude would make them susceptible to appeals from anyone showing an interest in their feelings and their welfare and may be a factor in explaining support for the demonstrations and their acceptance of the temporary and irresponsible type of leadership thrown up in the streets of Kowloon during the disturbances. It is not possible for us to determine the validity of these suggestions or the extent to which the traditional cohesion and discipline in Chinese family life has been eroded as a result of the urbanization and industrialization of Hong Kong and the breaking up of families who have taken refuge here, but the findings of the Urban Family Survey and the light it will throw on the attitude and aspirations of the younger generation will be of great importance in the planning of future services.

Youth Services

544. One of the most common comments both before and after the April disturbances was for greater emphasis to be laid on youth services, e.g. the Annual Report of the Hong Kong Government for 1965 prophetically states:

> 'Hong Kong is not a single community in terms of accepted traditions and values. Its special social, economic and financial conditions place particularly heavy demands upon the welfare services and at the same time make it difficult for these demands to be fully met. Among the services provided by the Government and voluntary agencies, youth services become increasingly important as young people in Hong Kong progressively broaden their horizons and expect much more varied opportunities for recreation and use of leisure time. The "explosion of vitality" which has occurred among the younger generation elsewhere is beginning to affect life in Hong Kong, in forms both constructive and destructive'.

The White Paper on Social Welfare, Lady WILLIAMS in her recent report*, the Kaifong Annual Review for 1965-66 all stress the need for assistance and guidance to youth, for family and social education, for the provision of healthy and character-forming outlets: a plea very fully endorsed by the Chairman at the recent Annual Meeting of the Hong Kong General Chamber of Commerce.

545. Social workers in their evidence before us, expressed the view that existing youth organizations only serve a marginal number of those who are really in need of such services.

546. In accepting this 'criticism' it must be remembered that in every big city pockets of discontent do occur and that nowhere do youth services reach all people

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* Report On The Feasibility Of A Survey Into Social Welfare Provision And Allied Topics In Hong Kong.

who could benefit from them and that there are two aggravating factors or difficulties peculiar to Hong Kong. It is a very congested place and the ground or premises available for recreational facilities or youth clubs is strictly limited; thus making it more difficult to provide adequate outlets. Furthermore, as the Commissioner of Police pointed out, many youngsters must have come to Hong Kong from Mainland China with exaggerated ideas of what to expect. Distant fields tend to be greener than they really are and many might well have expected an easier and more abundant harvest. They may have suffered bitter disappointment and frustration of their high hopes when they found themselves in an intensely competitive society where they were ill-equipped to compete, and many will, in addition, have lacked the support and encouragement of the family unit.

547. But these, of course, are not reasons for limiting youth services. They merely increase the challenge and the need. Government efforts in this field, as shown in the report submitted to us by the youth section of the Social Welfare Department, are very closely interwoven with the activities of the voluntary agencies. By subvention and otherwise, Government, with the aid of the agencies seeks to stimulate new and improved facilities for youth, to create and develop communities in a new society in which young people will find an adequate opportunity to test their capabilities and their character in every direction that is not damaging or dangerous to others. The work of the voluntary agencies is invaluable but how much remains to be done in bringing these opportunities to the attention of young people and in providing appropriate facilities was shown in the analysis of the 313 young offenders in Chi Ma Wan, 55% of whom mentioned 'radio listening, movie and T.V. viewing' as their only recreations, whilst others mentioned gambling and dancing but very few indicated any interest in sport or healthy exercises of any kind. The Lady WILLIAMS' Report draws attention, as have others, to the growing need of training for industry and in industry. No one would question this but there is also obviously a need of training for life and a broadening of our whole conception of education. Within this conception and in the field of youth services we must not overlook the needs of the misfits and the cranks. Whilst it is apparent that in seeking to preserve and improve the standard of well-being amongst this community as a whole, first priority must be the opportunities of training, etc. provided for those who, by aptitude and temperament, are best fitted to take advantage of such opportunities but, quite apart from the question whether we can afford to provide further riot-producing material, common humanity indicates that we must not forget the misfits and the inadequate. In so keenly competitive a society it is very probable that youngsters of this kind will find themselves brushed aside to where their resentment must inevitably tend to grow. We are not in a position to recommend specific remedies and can do little more than put up signposts and suggest further study but it would appear that, within this field, the work being done by the Police Juvenile Liaison Office could with advantage be expanded.

548. Its primary aim is to steer protential offenders away from trouble, and that there may be an increasing need for this preventative work is well illustrated in the 1963 Report where it was pointed out that, in more developed countries, increasing affluence had not resulted in the expected lowering of the juvenile crime rate. Far from it: where previously there had been small gangs, now there were large well-organized gangs and a class of juvenile criminal more conscious of its deliberately anti-social character, and, what was perhaps even worse, juvenile criminals were no longer coming from the poorest classes but from the middle and wealthy classes also. That is not the position in Hong Kong, at any rate, as yet; here the traditional causes—poverty, broken homes, lack of parental control, idleness and low educational standards—still remain very much the predominant factors. In this and in other wider fields it certainly appears to us that the extension of youth services presents a need more urgent than some now being pressed on Government's limited resources.

549. Increased financial resources, which must come mainly from industrial development, are, of course, a basic and limiting factor but there are others amongst which we would particularly mention leadership. This is an urgent need amongst youth in our community and one which places an exacting demand on the goodwill, the charity, the energy and the ability of those who are prepared to give their time and their efforts voluntarily to the service of others. It is a responsibility falling particularly on the more affluent or better educated sections of the community, whether local or expatriate, and there are a number in both groups who have most gallantly accepted it, but there may well be room, particularly amongst younger men, for a wider sharing of this task. More, or more effective, leadership in the right direction and at the right level might have done much to avert the danger of rioting in Kowloon last April or to check it after the first eruption.

Summary

550. At the risk of over-simplification we would sum up as follows this problem of youth and its 'discontents' as revealed to us by the evidence and material put at our disposal during this riots inquiry.

(1) Some commentators trace the problem of youth to the existing structural divisions in our society and to conflicts between old and new values or the emergence of new aspirations. Whilst recognizing the need for care and caution, which comes from the complex implications that must attend a change, some of them think that drastic measures are necessary to overcome the flaws in the present social structure if further disturbances are to be prevented.

(2) Social workers pointed to the manifestation of these divisions in their effect on the living environment, and in poorer opportunities for education and employment. From this they went on to stress the need for better education and employment opportunities, better housing, more youth services and recreation facilities, as well as the development of a sense of belonging through participation in community affairs.

(3) Other commentators placed more stress on the individual nature of the problem and see the answer in stricter discipline, more emphasis on moral training and character building; the reinforcement of traditional moral values and the prevention of further erosion of family discipline and conduct.

(4) Others felt that the problem was simply one of youthful animal spirits with inadequate outlets for their energy and emotions. They pointed to the need for more facilities for healthy recreation and constructive activity.

(5) Others felt that the participants in the April disturbances were untypical of Hong Kong youth and were only comprised of misfits, cranks and criminal elements.

551. With the exception of the last point which we do not accept, we feel there is some truth in each of the other views and that there is no one particular cause of dissatisfaction amongst youth more prominent than another or, for that matter, that the eradication of one or all of these problems would eradicate the so-called problem of youth. It must be met by remedies which will reflect a synthesis of the thinking required to solve the problems mentioned in the first four categories and others that will emerge as time goes on.

552. On these solutions depend much of the continuing prosperity and success of Hong Kong since its future well-being is in the hands of the young people of to-day. It is in them that Hong Kong must make its major and most significant investment.

553. The preceding four sections of this chapter are not intended to be a comprehensive investigation of the flaws in our community nor an attempt to offer solutions to all its problems. The matters discussed are those which were brought to our attention during the inquiry and where we have interposed comments, they are based on our existing knowledge and not on an exhaustive study of the subject.

CONCLUDING STATEMENT

554. We have endeavoured to discharge our task by tracing, in the earlier chapters of this report, the impact of the Star Ferry fare application on public opinion in Hong Kong. On this issue a substantial gap was opened between informed and uninformed opinion, through which there came, early in April, groups of youthful demonstrators whose banner-carrying, slogan-shouting marches

into the heart of Kowloon during the hours of darkness gave rise to a level of excitement and teenage hysteria which spilled over into violence and looting on the evening and night of 6th/7th April. The violence was continued on the following night by bands of youths, fortuitously gathered, who had found in the events of the previous evening so much attraction and excitement and so little danger that they readily came back for more. Thereafter, the measures taken by the police, which had generally been characterized by restraint, the introduction of earlier curfews and the presence of military forces proved entirely effective in bringing rioting and disorder to an end, after a period which had seen considerable physical damage but little personal injury.

555. In our concluding chapters, we have analysed these events in relation both to their immediate causes and the underlying reasons which may have played a part in bringing them about.

556. We do not believe that political, economic and social frustrations were the direct cause of the 1966 riots but within the economic and social fields there are factors, to which we have drawn attention and that need to be watched, lest they provide inflammable material which could erupt into disturbances should opportunity arise in the future.

MICHAEL HOGAN

C. K. LO

L. T. RIDE

MAURICE P. K. WONG

December 1966.

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APPENDIX NO. 1

WARRANT OF APPOINTMENT

COMMISSIONERS POWERS ORDINANCE
(Chapter 86)

APPOINTMENT OF COMMISSIONERS

IN exercise of the powers conferred upon him by section 2 of the Commissioners Powers Ordinance, the Governor-in-Council has appointed the persons specified in the Schedule as Commissioners for the purpose of instituting, making and conducting an inquiry in accordance with the terms of reference set out in paragraph 5 and of reporting to the Governor thereon.

2. Any two of the Commissioners shall form a quorum for the purpose of discharging any of the functions (other than that of reporting) of the Commissioners.

3. The Governor-in-Council deems it expedient and directs that all the Commissioners shall have all the rights, powers and privileges specified in section 3 of the Commissioners Powers Ordinance.

4. The Governor-in-Council directs that the Commissioners shall conduct the examination of witnesses in public, save that—

(*a*) the Commissioners may conduct the examination of any witness in private if in the opinion of the Commissioners it is in the public interest expedient so to do.

(*b*) nothing in this paragraph shall oblige the Commissioners to take oral evidence from a witness if, in their opinion, documentary evidence by such witnesses is sufficient.

5. The terms of reference of the said inquiry shall be as follows—

'To inquire into and report on—

(*a*) the disturbances in Kowloon between the 5th and 8th April, 1966, inclusive;

(*b*) the events leading up to such disturbances; and

(*c*) the causes thereof.'

6. The Governor-in-Council has appointed Mr. Steuart Alfred WEBB-JOHNSON, J.P., as Secretary to the Commissioners.

SCHEDULE

Commissioners

1. The Honourable Sir Michael HOGAN, C.M.G. (*Chairman*)
2. Mr. Kenneth LO Ching Kan
3. Sir Lindsay Tasman RIDE, C.B.E., E.D., LL.D., J.P.
4. Mr. Maurice WONG Ping Kin

Deputy Clerk of Councils.

COUNCIL CHAMBER,
3rd May, 1966.

APPENDIX NO. 2

APPLICATIONS FOR REPRESENTATION BEFORE THE COMMISSION WERE MADE AND GRANTED IN THE FOLLOWING CASES:

First Hearing. 11th May

Mr. D. REA — on behalf of the Hong Kong Government

Mr. D. J. R. WILCOX — on behalf of the Commissioner of Police

Mr. G. de BASTO — on behalf of Mr. Brook BERNACCHI, O.B.E., Q.C. on the instructions of Messrs. Lo & Lo (The Hon. Y. K. KAN)

Fourth Hearing. 16th May

Major A. C. RILEY

Deputy Assistant Director of Army Legal Services — on behalf of the Armed Forces

Eighth Hearing. 20th May

Mr. A. SANGUINETTI — on behalf of Mrs. Elsie ELLIOTT on the instructions of Messrs. Johnson Stokes & Master (Mr. B. H. TISDALL)

APPENDIX NO. 3

EXTRACT OF PARAGRAPH 4 OF THE SCHEDULE TO THE 'STAR' FERRY COMPANY (SERVICES) ORDINANCE NO. 41 OF 1951

Fares and charges Appendix 1

4. (1) The fares and charges which may be taken by the Company shall be those specified in Appendix 1, or such other fares and charges as may from time be fixed by the Governor-in-Council as fair and reasonable having regard as well to the Company as to the general public.

(2) If by reasons of a material change of economic or financial conditions or of any other circumstances affecting the ferry service, the fares and charges for the time being authorized are, in the opinion of the Company, no longer reasonably remunerative, and the Governor-in-Council upon the request of the Company fails to authorize increased fares and charges to an amount as would, in the opinion of the Company be reasonably remunerative, the question shall be submitted to arbitration, and the Company may charge such increased fares and charges as may be decided upon arbitration to be reasonable, having regard to any change of economic and financial conditions, or other circumstances affecting the service: Provided that the Governor-in-Council may at any time, if in his opinion a further change of economic or financial conditions or other circumstances shall have occurred affecting the ferry service and rendering such increased fares and charges unduly high, call upon the Company to make such reduction in the fares and charges as in the opinion of the Governor-in-Council is reasonable, and if the Company fails to make such reduction voluntarily, the matter shall be referred to arbitration and the fares and charges which the Company shall thereafter be entitled to charge shall be fares and charges as shall have been decided upon arbitration to be reasonable, having regard to such further change of economic or financial conditions or other circumstances affecting the service.

(3) Whenever under the last preceding sub-paragraph the Governor-in-Council is of opinion that an increase in fares and charges may be authorized by him or that he would be justified in calling upon the Company to reduce the fares and charges, the Governor may instead vary the rate of royalty in such manner as he may consider reasonable but so that any such variation shall not increase the amount of royalty payable under paragraph 5.

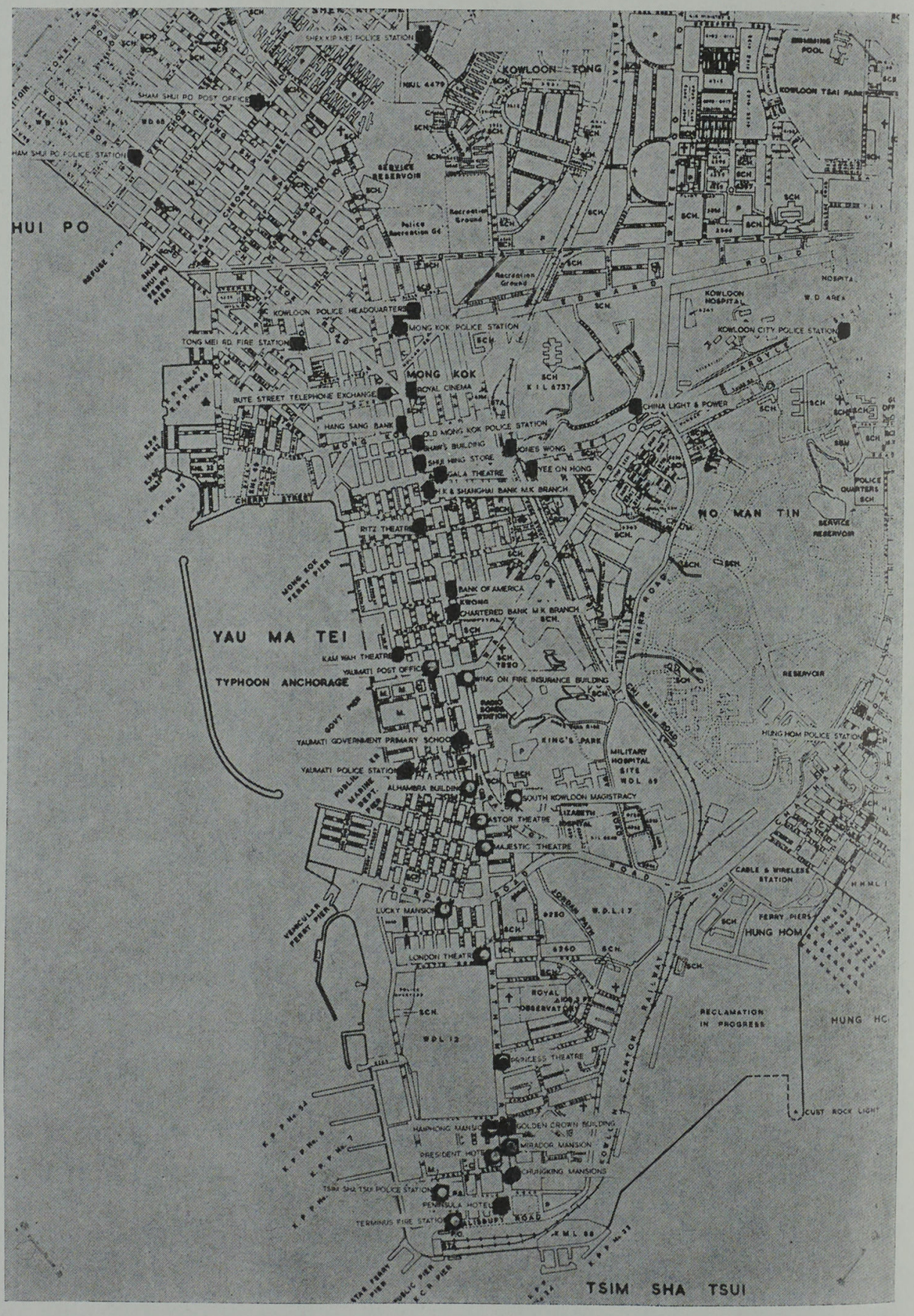
APPENDIX NO. 4

'STAR' FERRY CO. LTD. PASSENGER FARES

	Original	*Proposed by Company (1.10.65)*	*Proposed by T.A.C. (17.3.66)*	*Approved by Government (25.4.66)*
Per Trip				
1st Cl. Adult	20¢	H.K./Kln. 30¢ Kln./H.K. 20¢	As proposed by Company or 25¢ each way	25¢ each way
1st Cl. Children under 16	10¢	H.K./Kln. 20¢ Kln./H.K. 10¢	H.K./Kln. 15¢ Kln./H.K. 10¢	10¢
1st Cl. Children accompanied/under 3 years	Free	Free	Free	Free
2nd Cl. Adults & Children	10¢	H.K./Kln. 20¢ Kln./H.K. 10¢	10¢ each trip	10¢
2nd Cl. Children accompanied under 3 years	Free	Free	Free	Free
Monthly				
Adult	$8	$10	$12	$10
Child	$4	$ 5	$ 6	$ 4

APPENDIX NO. 5

PLAN OF KOWLOON SHOWING LOCATION OF BUILDINGS REFERRED TO IN REPORT



APPENDIX NO. 6

CASUALTIES RECORDED BY POLICE

Police Ten casualties of which seven involved injuries from stones thrown by rioters.

None detained in Hospital.

Civilian One killed by gunshot wound in chest.

Three injured by gunshot wounds and detained in Hospital.

Five detained in Hospital for other injuries.

Eight treated for minor injuries and discharged.

Note: No records are available of other persons who may have been treated privately for injuries received.

APPENDIX NO. 7

ANALYSIS OF 1465 PERSONS ARRESTED IN CONNECTION WITH KOWLOON RIOTS BY AGE GROUPS AND PREVIOUS CONVICTIONS

Age / Offence		Breach of Curfew and Other Offences			Other Offences Only			Breach of Curfew Only			Released Without Charge		
		With previous conviction	Without previous conviction	Total	With previous conviction	Without previous conviction	Total	With previous conviction	Without previous conviction	Total	With previous conviction	Without previous conviction	Total
Under 12... ...	No.	—	—	—	—	—	—	—	—	—	—	7	7
	%	—	—	—	—	—	—	—	—	—	—	100%	—
12–15	No.	1	—	1	1	12	13	4	33	37	—	25	25
	%	100%	—	—	8%	92%	—	11%	89%	—	—	100%	—
16–20	No.	5	16	21	10	39	49	13	187	200	—	94	94
	%	24%	76%	—	20%	80%	—	7%	94%	—	—	100%	—
21–25	No.	3	2	5	1	13	14	22	104	126	1	82	83
...	%	60%	40%	—	8%	93%	—	18%	83%	—	1%	99%	—
26–35	No.	2	1	3	2	5	7	38	140	178	2	164	166
	%	67%	33%	—	29%	71%	—	21%	79%	—	1%	99%	—
Over 35	No.	1	—	1	1	—	1	56	193	249	1	182	183
	%	100%	—	—	100%	—	—	23%	78%	—	1%	99%	—
Total ...	No.	12	19	31	15	69	84	133	657	790	4	554	558+2*
	%	39%	61%	—	18%	82%	—	17%	83%	—	1%	99%	—

* Age Unknown.

APPENDIX NO. 7 *(Contd.)*

RESULTS OF PROCEEDINGS AGAINST PERSONS ARRESTED

Sentenced to imprisonment	323
girls' or boys' home	50
Training Centre	7
Probation	1
Fined	41
Bound over	74
Convicted and discharged	328
Absolute discharge	57
Acquitted	19
Miscellaneous (mental hospital, etc.)	5
Total	905

APPENDIX NO. 8

DAMAGE TO PROPERTY REPORTED TO POLICE

A. PRIVATE BUILDINGS

April 6/7th — Shaw's Building, Nathan Road; 9 commercial premises in the shopping arcade were looted to a greater or lesser extent. In addition, some were damaged as a result of the fire in the Shui Hing Co. (see para. 163 and Plate 21). In addition, some 20 commercial premises, mostly in the Mong Kok area, had windows broken and in some cases goods were stolen. Apart from Shaw's Building, the most serious damage was caused in the looting of Jones Wong Co. and the Yee On Hong Co. Ltd. (see para. 171).

April 7/8th — Four commercial premises had windows broken.

B. GOVERNMENT BUILDINGS

April 6/7th —	Fire Services Mainland H.Q.	Attempt to burn door and windows broken.
	Mong Kok Post Office—Bute St. (also the telephone exchange in the same building)	Attempt to burn door and windows broken.
	Yau Ma Tei Post Office—Waterloo Rd.	Front door damaged by fire.
	U.S.D. Kowloon H.Q. (Sai Yee St.)	Some windows broken.
	Waterworks Office (Sai Yee St.)	Some windows broken.
April 7/8th —	Mong Kok Post Office—Bute St.	Damage to door.
	Yau Ma Tei Post Office	Damage to door.
On April 6/7th or 7/8th —	Tai Nam St. Post Office	Windows broken.
	Sham Shui Po Post Office	Front door glass broken and some windows.
	Tong Mei Rd. Fire Station	Some glass broken and door damaged.

DAMAGE REPORTED TO POLICE AND/OR RECORDED BY THE POLICE

C. PRIVATE VEHICLES

	Burnt and otherwise damaged		Damaged only	
	Cars	Motor Cycles	Cars	Motor Cycles
April 6/7	10	14	6	—
April 7/8	—	1	—	—

D. GOVERNMENT VEHICLES

30 vehicles damaged, ranging from small dents on police vehicles from stone throwing to more serious damage, as in the case of a Government Information Services car.

APPENDIX NO. 8 *(Contd.)*

E. PUBLIC SERVICE VEHICLES

57 buses damaged to an extent estimated at approximately $27,000.

F. DAMAGE TO TRAFFIC AIDS AND PARKING METERS, ETC.

1. Traffic light installations were damaged at eight locations between Jordan Road in the south and Un Chau Street in the north. The cost of replacement materials was estimated at $8,000.

2. Traffic aids (bollards, beacons, traffic pagodas, etc.) to the value of $12,220 were damaged in locations throughout the area of the disturbances.

3. A total of 165 parking meter heads were reported as missing, 79 as damaged beyond repair and 514 as damaged but repairable. The cost of replacements/repair was estimated at $156,000, excluding labour costs and any cash in the missing meters.

Note: Details of claims made for *ex-gratia* payments for personal injury or damage to, or theft or destruction of property arising from the disturbances are contained in the report of the Kowloon Disturbances Claims Assessment Board.

APPENDIX NO. 9

STATISTICS OF AMMUNITION FIRED BY THE POLICE COMPANIES ENGAGED IN RIOT SUPPRESSION

Date	Formation	C.S. Gas	Wooden Projectile	.300 Carbine	.38 Revolver	9.m.m. Sterling
April 6/7th	Y. Coy.	182	—	20	8	3
	SSPo Coy. ...	24	—	5	14	—
	M. Coy.	100	—	3	—	—
	H.Q. Coy. ...	249	—	—	—	—
	K.C. Coy. ...	82	—	—	—	—
	WTS. Coy. ...	19	—	1	—	—
	PTC. Coy. ...	103	62	—	—	—
	T.O. Coy. ...	1	—	1	—	—
	PTS. Coy. ...	12	—	—	—	—
	C.S.P./T. ...	—	—	—	2	—
	Car 8	—	—	—	5	—
	TOTAL: ...	772	62	30	29	3
April 7/8th	SSPo Coy. ...	1	—	—	—	—
	Y. Coy.	107	12	8	6	5
	M. Coy.	4	—	1	—	—
	H.Q. Coy. ...	149	—	—	—	—
	K.C. Coy. ...	78	13	1	—	2
	WTS. Coy. ...	27	—	—	—	—
	Aux. Coy. ...	56	—	—	—	—
	Escort Coy. ...	—	3	—	—	—
	CSP/T & TOK. ...	—	—	—	8	—
	TOTAL: ...	422	28	10	14	7
April 8/9th	WTS. Coy. ...	4	—	—	—	—
	GRAND TOTAL:	1,198	90	40	43	10

Notes: (1) Misfires and/or accidental discharge of eight wooden projectiles and two rounds of carbine are excluded.

(2) No ammunition was expended by the Armed Forces.

APPENDIX NO. 10

INDEX TO USE OF FIREARMS

April 6/7th

E.U. Car 8 (11.50 p.m.)	Five revolver shots fired to defend the crew and vehicle.
Marine Coy. (12.20 a.m.)	Two rounds of carbine fired to disperse a stone-throwing crowd.
S.S.Po Coy. (1.25 a.m.)	11 revolver and five carbine shots fired to disperse crowds around Shaw's Building and in Argyle Street. One revolver shot fired to repel attack on the company's transport.
Marine Coy. (1.45 a.m.)	One carbine shot fired to stop missiles thrown at company.
Yaumati Coy. (1.45 a.m.)	Six revolver and one sterling gun shots fired to disperse crowd burning a car in Jordan Road and throwing stones. 64 rounds of tear smoke had been fired before ball ammunition was used.
Wong Tai Sin Coy. (1.47 a.m.)	One carbine shot fired at crowd breaking shop windows and lighting fires.
Yau Ma Tei Coy. (1.50 a.m.)	Four carbine shots fired to stop missiles being thrown from multi-storey buildings in Jordan Road.
Yau Ma Tei Coy. (2.07—3.25 a.m.)	16 carbine, two revolver and two sterling gun shots fired to stop bombardment from roofs, etc. of Mirador, Chungking, Tsim Sha Tsui & Haiphong Mansions in Tsim Sha Tsui.
S.S.Po. Coy. (2.25 a.m.)	Two revolver shots fired to stop rioters setting fire to post office.
Traffic Office Coy. (2.30 a.m.)	One carbine shot fired at rioters breaking into hawker stalls and throwing missiles at police.
C.S.P./T (3 a.m.—5.20 a.m.)	Two revolver shots fired.

April 7/8th

C.S.P./T and party (11 p.m.)	Eight revolver rounds fired to prevent stone throwing and lighting of fires.
Yau Ma Tei Coy. (11 p.m.)	Four sterling gun rounds fired to repel attack on company transport.
Kowloon City Coy. (11.58 p.m.)	One carbine shot fired at crowd in Man Ming Lane, lighting fires and stoning the police.
Marine Coy. (midnight)	One carbine shot fired at crowd throwing stones and fuel bombs. One wounded and one killed.

APPENDIX NO. 10 *(Contd.)*

Yau Ma Tei Coy. (12.20 a.m.)	Three carbine, four revolver and one sterling gun shots fired at crowds in Mong Kok attempting to set fire to vehicles.
Yau Ma Tei Coy. (1.10 a.m.)	One carbine shot fired in Mong Kok to stop bombardment from rooftops, etc.
Kowloon City Coy. (1.20 a.m.)	Two sterling gun shots fired to prevent attack by crowd and to stop them lighting fires.
Yau Ma Tei Coy. (1.50 a.m.)	Four carbine and two revolver shots fired in Jordan Road at crowd trying to set fire to a car.

APPENDIX NO. 11

DECISION OF THE COMMISSIONERS ON MRS. ELLIOTT'S REFUSAL TO ANSWER

We return to an unpleasant duty and a distasteful task; to deal with an instance of contempt in circumstances where one might reasonably have hoped that it would not arise. A lady of mature years, an Urban Councillor and herself a teacher of youth, has refused to answer a question when required to do so before this Commission and has thus refused to give information within her knowledge on a matter that is of material importance to our Inquiry.

She claimed that on the night of 6th April, a woman came to the outer door of the school where she lives and gave to the headmaster, who in turn gave it to her, a message which purported to have its source in a policeman at Mong Kok. The precise form of the message remains somewhat uncertain; when first recounted to us it was:

> 'a warning to be careful because some police in Mong Kok had engaged some "ah feis" to go into the riots—to go into the streets and throw stones and later they would blame me'.

Subsequent versions have varied somewhat and there have been references to 'Laan Tsai' which Mrs. ELLIOTT says are the same as 'ah feis'. Mrs. ELLIOTT says that she knew the name of the policeman who had sent this message and apparently she had on other occasions received from him information which she regarded as reliable.

The messenger of the 6th subsequently, on the 8th or 9th, Mrs. ELLIOTT is not quite certain of the date, conveyed further information to her broadly to the effect that a young man LO Kei, arrested by the police on the 7th, was, or was to be, her accuser and there was some suggestion that in return he would get a scholarship.

Apparently, no action was taken by Mrs. ELLIOTT to inform the authorities of what she had learned on the 6th, although rioting continued on the 7th, nor did she inform them of the further information of the 8th or 9th but on the 13th, she wrote to Mr. SANGUINETTI a letter which has been exhibited, telling him what had occurred. There is no indication that he took any step to inform the authorities or advised Mrs. ELLIOTT to do so. There are indications in her evidence that although Mrs. ELLIOTT may have received reliable information from this source in the past she was not at the time convinced of the truth of this message although she has since come to believe it. She has, however, refused to give the name of the policeman, the source of the alleged message of the 6th, on the ground that she does not want it disclosed because he fears he would be victimized, and he has not, himself, come forward to give evidence or information on the matter to the Commission.

In effect, we now have before us two allegations against the police, neither of which can be tested or probed: (1) that some of their members at Mong Kok have committed a serious crime and (2) that those in authority would permit a man who disclosed that crime to be victimized—a suggestion it is difficult to credit.

It has been pointed out to Mrs. ELLIOTT that either her informant has made a false and malicious accusation, or some policemen in Mong Kok have committed a serious crime. One or other is wickedly at fault but she, by her silence, is shielding both and stifling the investigation which alone can determine where the truth lies. Unless she speaks or the policeman comes forward, we shall not know because we cannot uncover the facts. In this connection I directed her attention to a passage from the judgment of the Master of the Rolls, Lord DENNING, in a case which dealt with a somewhat similar situation where a journalist had made allegations against the conduct of the Admiralty in London but had

APPENDIX NO. 11 *(Contd.)*

refused to disclose the source of his information. I think it may be desirable to read that passage again. Having referred to the direction to answer and the refusal, Lord DENNING had this to say:

> 'Was the question relevant to the Inquiry? Was it one that the journalist ought to answer? It seems to me that, if the Inquiry was to be as thorough as the circumstances demanded, it was incumbent on Mr. MULHOLLAND to disclose to the tribunal the source of his information. The newspapers have made these allegations. If they made them with the due sense of responsibility (as befits a press which enjoys such freedom as ours), then they must have based them on a trustworthy source. Heaven forbid that they should invent them. And if they did get them from a trustworthy source, then the tribunal must be told of it. How otherwise can the tribunal discover whether the allegations are well-founded or not? The tribunal cannot tell unless they see for themselves this trustworthy source, this witness who is the foundation of it all. The tribunal must therefore be entitled to ask what was the source from which the information came. It is said that the tribunal had access to other sources of information which might make it unnecessary for the newspapers to disclose their source; and that the newspapers did not know of these other sources because so much of the proceedings were held in camera. I am not in the least impressed by this argument. Even if the tribunal did have access to other sources of information, nevertheless, it is still necessary for the tribunal to know from whence the newspapers got their information, so as to confirm, contradict or complete these other sources. The root cause of the whole inquiry was the information which the newspapers published, and it is their sources which must be tracked down so as to see whether they are trustworthy or not. Once the source of the information is ascertained, the tribunal are better able to see whether it is such as to implicate or exculpate those concerned at the Admiralty. I hold, therefore, that, so far as Mr. MULHOLLAND is concerned, these questions are both relevant and necessary to the inquiry which the tribunal had in hand.'

At this point, I think I might also refer to a short passage which appears in the judgment of the Lord Chief Justice of England in the similar case of a journalist called CLOUGH, which occurred at or about the same time. The Lord Chief Justice was himself quoting from a judgment of Sir Owen DIXON, subsequently Chief Justice of Australia, in an Australian case where the Chief Justice had said in relation to some claim of privilege for silence by a journalist.

> 'The law was faced at a comparatively early stage of the growth of the rules of evidence with a question how to resolve the inevitable conflict between the necessity of discovering the truth in the interests of justice on the one hand and on the other the obligation of secrecy or confidence which an individual called upon to testify may in good faith have undertaken to a party or other person. Except in a few relations where paramount considerations of general policy appear to require that there should be a special privilege, (then Sir Owen DIXON referred to such matters as husband and wife, attorney and client, and went on) an inflexible rule was established that no obligation of honour, no duties of non-disclosure arising from the nature of pursuit or calling could stand in the way of the imperative necessity of revealing the truth in the witness box.'

When requesting Mrs. ELLIOTT to answer, it was made plain to her that a policeman, who fails to come forward to tell the proper authorities what he claims to know of an alleged crime, is in serious dereliction of his duty. Whatever she might have thought the position to be at an earlier stage, she cannot think that he is now acting honestly or with propriety in concealing a crime of which he claims to be aware and it is apparent that she, by her present attitude, is not merely condoning but actively encouraging and participating in the very conduct she has claimed to condemn in others. Nevertheless, she is still not willing to give his name, possibly because she feels that to do so would betray a confidence which he reposed in her, though it cannot be overlooked that it would also destroy a source of information which she has apparently found useful—though in what circumstances we do not know—in the past.

APPENDIX NO. 11 *(Contd.)*

Her refusal to answer a question which we regard as material and which we have required her to answer—a refusal persisted in after ample opportunity for reflection—is a contempt of this Commission and must be treated as such. We are empowered to punish such contempt by sending the individual concerned to prison or imposing a fine. In the Australian case, to which our counsel has referred, the case of McGuinness v. The Attorney General of Australia, Mr. Justice RICH drew attention to the advantages, on occasions, of imposing a fine, since it confers very little of that aura of martyrdom which sometimes can be an attraction to those, or some of those, tempted to commit this particular type of offence.

What course should we follow here?

Now to get the matter into its proper perspective, I think it is desirable to mention—though without attempting at this stage to evaluate in any way the accuracy or cogency of her evidence—to mention that throughout a number of days Mrs. ELLIOTT gave testimony here in the witness box, some of it under severe cross-examination, and during that time, whilst giving that evidence, which covered a very wide field of detail and incident, she never at any time showed any desire to act in defiance of this Commission or to do anything in contempt of it, other than this particular matter which is now before us. There was one unfortunate reference which was open to misinterpretation but that was satisfactorily cleared up, and any misunderstanding removed, last Friday morning.

Nevertheless to make such allegations as we have here, and then to withhold the information which would enable us to enquire into, to test, to weigh and to determine the truth of the allegation is both a failure in her public duty and a defiance of the very purpose for which this Commission was appointed.

To initiate or propagate malicious rumour is an evil thing which can do great harm in a community. Conduct like this now before us gives free rein to rumour with all the evil consequences that can follow, if the rumour is untrue. And we cannot accept the attitude of mind that allows someone to level the gravest allegations against a group of police officers, about employing miscreants to participate in riots, whilst withholding the material which could lead to a conclusion whether any or all of them are guilty or innocent. We are also profoundly disturbed by what has happened yesterday afternoon and this morning, when it was, at first, claimed that Mrs. ELLIOTT had information of great importance, relating to our inquiry, which she was willing to give to us in camera but of which there had been no indication in the statement which had been furnished to the Commission, through her legal advisers: an offer which, whilst it was being considered by the Commission, was withdrawn this morning, when it was intimated that Mrs. ELLIOTT is now unwilling to furnish that information, either in open forum or in camera.

Nevertheless, we are convinced that in the present instance the real remedy and the most effective deterrent for conduct such as this must lie in public opinion which cannot condone but must repudiate, reject and condemn this conspiracy of silence; this making of allegations followed by the refusal to furnish the information which can determine their truth.

We do not think that to send Mrs. ELLIOTT to prison or to impose a fine on her, on this occasion, would serve any useful purpose. Having regard to her position, her age and her responsibilities, the matter is one which is probably to be approached more in sorrow and reproof than in anger, and for this contempt we will impose neither imprisonment nor fine, but we will send the offender from here to the bar of public opinion where she must meet the censure and repudiation of all those right-minded people who believe in the freedom of the innocent from the taint of unwarraned suspicion and in the principles of frankness and fair dealing in the affairs of men.

APPENDIX NO. 12

MOTIVES GIVEN BY THE DEMONSTRATORS AND RIOTERS FOR THEIR PARTICIPATION

1. AU YEUNG Yiu Wing:	Curiosity
2. CHAN Chi Ping:	Curiosity Opposition to Star Ferry fare increase
3. CHOW Wai Leung:	Moved by SO's enthusiasm Opposition to fare increase Annoyed at SO's arrest
4. HO Lam Yau:	Curiosity Enjoyment
5. HOR Wan Wah:	Strongly opposed to fare increase Angry at SO's arrest
6. HO Wing Fung:	Enjoyed watching Curiosity
7. HUI Ching Chuen:	Angry to see two young demonstrators being arrested by police Sympathy with the two young men being arrested
8. LEE Tak Yee:	Compelled by curiosity Excited and aroused
9. LO Kei:	At first he only wanted to encourage SO but finally decided to join him
10. Miss LUI Fung Oi:	Sympathized with SO's hunger strike
11. MA Kwok Kwong:	Unaware of his own deed Originally indifferent to the fare increase, but joined the crowd because many people had come out to oppose it Curiosity
12. RAGGENSACK:	Opposed to the proposed fare increase and moved by SO Sau Chung's action
13. SIT Fat:	Curiosity Greedy—so stole things from Shui Hing Encouraged by the presence of reporters
14. SUM Yuet Man:	Out of curiosity and opposition to proposed fare rise Expressed dissatisfaction with and admitted prejudice against Hong Kong Police
15. TSANG Ting Pong:	Curiosity Enjoyment Excitement
16. WAN Ping Lap:	Sympathy with the demonstrating crowd Curiosity Opposition to Star Ferry fare increase
17. YIU Sze Ming:	Curiosity Enjoyed watching the helicopter and police marching Wanted to have some amusement

APPENDIX NO. 13

ACKNOWLEDGEMENTS

In closing this report we wish to express our appreciation for the assistance received from the following organizations and individuals:

the Hong Kong Government for its ready co-operation with any requests we have made, in particular

- the Government Information Services for assistance with press arrangements and publicity and for providing press extracts and facilities for viewing films;
- the Secretariat for Chinese Affairs for assistance with translation and in interviewing potential witnesses and recording statements and for obtaining views from various individuals and organizations;
- the Police Force for assistance at all times and for providing the material we requested;
- the Prisons Department for arranging the conduct of prisoners giving evidence and for provision of facilities for interviewing and taking statements;
- Radio Hong Kong for recording the proceedings and providing sound amplification; and

the staff of the Judiciary and the staff attached to the Secretary's Office, who were concerned with the arrangements for our public hearings, the maintainance of records, the preparation of a transcript of evidence, and the typing of our report;

the members of the Social Workers Association, who assisted us by interviewing young persons convicted of offences connected with the disturbances and compiled a report;

the social workers and social scientists who gave us the benefit of their advice and experience;

the editors who permitted the publication of their photographs in this report; and

the members of the public who gave evidence or otherwise provided material to assist our inquiry.

Finally, we would like to express our appreciation to our secretary, Mr. S. A. WEBB-JOHNSON, who, despite having to discharge his other commitments which has made his task particularly exacting, has given us such valuable help in the work of this Inquiry, where his ability, efficiency and industry as well as his mastery of the data collected have been of the greatest assistance to us.

PRINTED BY THE GOVERNMENT PRINTER, HONG KONG

Code No.: 0338800
Price: $5.50
51197—20K—2/67